SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED THIRD GENERAL ASSEMBLY

52ND LEGISLATIVE DAY

WEDNESDAY, MAY 17, 2023

11:11 O'CLOCK A.M.

NO. 52
[May 17, 2023]

SENATE
Daily Journal Index
52nd Legislative Day

The Senate met pursuant to adjournment.
Senator Mattie Hunter, Chicago, Illinois, presiding.
Prayer by Father George Nellikunnel, St. Cabrini and St. Aloysius Churches, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Koehler moved that reading and approval of the Journal of Tuesday, May 16, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 1076
Amendment No. 5 to House Bill 1342

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

Amendment No. 2 to House Bill 3093
Amendment No. 3 to House Bill 3643

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 1 to Senate Bill 183
Motion to Concur in House Amendment No. 4 to Senate Bill 724
Motion to Concur in House Amendment No. 5 to Senate Bill 724
Motion to Concur in House Amendment No. 1 to Senate Bill 1233
Motion to Concur in House Amendment No. 2 to Senate Bill 1233
Motion to Concur in House Amendment No. 2 to Senate Bill 1250
Motion to Concur in House Amendment No. 4 to Senate Bill 1250
Motion to Concur in House Amendment No. 1 to Senate Bill 1630
Motion to Concur in House Amendment No. 1 to Senate Bill 1701
Motion to Concur in House Amendment No. 1 to Senate Bill 1716
Motion to Concur in House Amendment No. 2 to Senate Bill 1782
Motion to Concur in House Amendment No. 3 to Senate Bill 1782
Motion to Concur in House Amendment No. 1 to Senate Bill 1803
Motion to Concur in House Amendment No. 1 to Senate Bill 1886
Motion to Concur in House Amendment No. 1 to Senate Bill 1999
Motion to Concur in House Amendment No. 2 to Senate Bill 2017
Motion to Concur in House Amendment No. 1 to Senate Bill 2192

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601

217-782-2728 312-814-2075

May 17, 2023

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

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee deadline to May 19, 2023 for the following bills:

HB 0219 HB 0297

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

REPORT FROM STANDING COMMITTEE

Senator Holmes, Chair of the Committee on Local Government, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 1570

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Holmes, Chair of the Committee on Local Government, to which was referred **House Bill No. 476**, reported the same back with the recommendation that the bill do pass.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Anderson, **House Bill No. 3590** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **House Bill No. 878** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Belt, **House Bill No. 300** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAY 1.

The following voted in the affirmative:

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

On motion of Senator Belt, **House Bill No. 1133** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 36; NAYS 20.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Villa, **House Bill No. 1363** was recalled from the order of third reading to the order of second reading.

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 1363

AMENDMENT NO. 1 . Amend House Bill 1363 on page 2, line 22, by replacing "performance of the job duties" with "gender-related violence"; and

on page 2, line 24, by replacing "performance of the contracted work" with "gender-related violence"; and

on page 3, by replacing line 7 with the following:

"(b) Notwithstanding subsection (a), an employer is only liable for gender-related violence if".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villa, **House Bill No. 1363** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS None.

The following voted in the affirmative:

Aquino	Feigenholtz	Koehler	Simmons
Belt	Fine	Lewis	Sims
Bennett	Fowler	Lightford	Stadelman
Bryant	Gillespie	Loughran Cappel	Tracy
Castro	Glowiak Hilton	Martwick	Turner, D.
Cervantes	Halpin	McConchie	Turner, S.
Chesney	Harris, N.	Morrison	Ventura
Cunningham	Harriss, E.	Murphy	Villa
Curran	Hastings	Peters	Villanueva
DeWitte	Holmes	Porfirio	Villivalam
Edly-Allen	Hunter	Preston	Mr. President
Ellman	Johnson	Rezin	
Faraci	Joyce	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 in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Fine, **House Bill No. 1364** 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 HOUSE BILL 1364

AMENDMENT NO. 1 . Amend House Bill 1364 on page 7, immediately below line 5, by inserting the following:

"Section 90. 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) (Blank). ~~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.~~

(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 determined ~~developed~~ by ~~the workgroup in subsection (j), to~~ the Department and ~~, or, with respect to medical assistance,~~ the Department of Healthcare and Family Services and posted on their respective websites, starting on September 1, 2023 and annually thereafter, ~~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.
Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 1364

AMENDMENT NO. 2 . Amend House Bill 1364 on page 3, line 17, by replacing "working group" with "workgroup"; and

on page 4, line 24, by replacing "Workforce" with "Workgroup"; and

on page 7, by replacing line 5 with the following:
"2025.

Section 85. The Community Emergency Services and Support Act is amended by changing Sections 5, 15, 20, 25, 30, 35, 40, 45, 50, and 65 and by adding Section 70 as follows:

(50 ILCS 754/5)

Sec. 5. Findings. The General Assembly recognizes that the Illinois Department of Human Services Division of Mental Health is preparing to provide mobile mental and behavioral health services to all Illinoisans as part of the federally mandated adoption of the 9-8-8 phone number. The General Assembly also recognizes that many cities and some states have successfully established mobile emergency mental and behavioral health services as part of their emergency response system to support people who need such support and do not present a threat of physical violence to the mobile mental health relief providers ~~responders~~. In light of that experience, the General Assembly finds that in order to promote and protect the health, safety, and welfare of the public, it is necessary and in the public interest to provide emergency response, with or without medical transportation, to individuals requiring mental health or behavioral health services in a manner that is substantially equivalent to the response already provided to individuals who require emergency physical health care.
(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/15)

Sec. 15. Definitions. As used in this Act:

"Division of Mental Health" means the Division of Mental Health of the Department of Human Services.

"Emergency" means an emergent circumstance caused by a health condition, regardless of whether it is perceived as physical, mental, or behavioral in nature, for which an individual may require prompt care, support, or assessment at the individual's location.

"Mental or behavioral health" means any health condition involving changes in thinking, emotion, or behavior, and that the medical community treats as distinct from physical health care.

"Mobile mental health relief provider" means a person engaging with a member of the public to provide the mobile mental and behavioral service established in conjunction with the Division of Mental Health establishing the 9-8-8 emergency number. "Mobile mental health relief provider" does not include a Paramedic (EMT-P) or EMT, as those terms are defined in the Emergency Medical Services (EMS) Systems Act, unless that responding agency has agreed to provide a specialized response in accordance with the Division of Mental Health's services offered through its 9-8-8 number and has met all the requirements to offer that service through that system.

"Physical health" means a health condition that the medical community treats as distinct from mental or behavioral health care.

"PSAP" means a Public Safety Answering Point tele-communicator.

"Community services" and "community-based mental or behavioral health services" may include both public and private settings.

"Treatment relationship" means an active association with a mental or behavioral care provider able to respond in an appropriate amount of time to requests for care.

~~"Responder" is any person engaging with a member of the public to provide the mobile mental and behavioral service established in conjunction with the Division of Mental Health establishing the 9-8-8 emergency number. A responder is not an EMS Paramedic or EMT as defined in the Emergency Medical Services (EMS) Systems Act unless that responding agency has agreed to provide a specialized response in accordance with the Division of Mental Health's services offered through its 9-8-8 number and has met all the requirements to offer that service through that system.~~

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/20)

Sec. 20. Coordination with Division of Mental Health. Each 9-1-1 PSAP and provider of emergency services dispatched through a 9-1-1 system must coordinate with the mobile mental and behavioral health services established by the Division of Mental Health so that the following State goals and State prohibitions are met whenever a person interacts with one of these entities for the purpose of seeking emergency mental and behavioral health care or when one of these entities recognizes the appropriateness of providing mobile mental or behavioral health care to an individual with whom they have engaged. The Division of Mental Health is also directed to provide guidance regarding whether and how these entities should coordinate with mobile mental and behavioral health services when responding to individuals who appear to be in a mental or behavioral health emergency while engaged in conduct alleged to constitute a non-violent misdemeanor.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/25)

Sec. 25. State goals.

(a) 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the Division of Mental Health must coordinate their services so that the State goals listed in this Section are achieved. Appropriate mobile response service for mental and behavioral health emergencies shall be available regardless of whether the initial contact was with 9-8-8, 9-1-1 or directly with an emergency service dispatched through 9-1-1. Appropriate mobile response services must:

(1) whenever possible, ensure that individuals experiencing mental or behavioral health crises are diverted from hospitalization or incarceration ~~whenever possible,~~ and are instead linked with available appropriate community services;

(2) include the option of on-site care if that type of care is appropriate and does not override the care decisions of the individual receiving care. Providing care in the community, through methods like mobile crisis units, is encouraged. If effective care is provided on site, and if it is consistent with the care decisions of the individual receiving the care, further transportation to other medical providers is not required by this Act;

(3) recommend appropriate referrals for available community services if the individual receiving on-site care is not already in a treatment relationship with a service provider or is unsatisfied with their current service providers. The referrals shall take into consideration waiting lists and copayments, which may present barriers to access; and

(4) subject to the care decisions of the individual receiving care, provide transportation for any individual experiencing a mental or behavioral health emergency. Transportation shall be to the most integrated and least restrictive setting appropriate in the community, such as to the individual's home or chosen location, community crisis respite centers, clinic settings, behavioral health centers, or the offices of particular medical care providers with existing treatment relationships to the individual seeking care.

(b) Prioritize requests for emergency assistance. 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the Division of Mental Health must provide guidance for prioritizing calls for assistance and maximum response time in relation to the type of emergency reported.

(c) Provide appropriate response times. From the time of first notification, 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established

by the Division of Mental Health must provide the response within response time appropriate to the care requirements of the individual with an emergency.

(d) Require appropriate mobile mental health relief provider ~~responder~~ training. Mobile mental health relief providers ~~Responders~~ must have adequate training to address the needs of individuals experiencing a mental or behavioral health emergency. Adequate training at least includes:

(1) training in de-escalation techniques;

(2) knowledge of local community services and supports; and

(3) training in respectful interaction with people experiencing mental or behavioral health crises, including the concepts of stigma and respectful language.

(e) Require minimum team staffing. The Division of Mental Health, in consultation with the Regional Advisory Committees created in Section 40, shall determine the appropriate credentials for the mental health providers responding to calls, including to what extent the mobile mental health relief providers ~~responders~~ must have certain credentials and licensing, and to what extent the mobile mental health relief providers ~~responders~~ can be peer support professionals.

(f) Require training from individuals with lived experience. Training shall be provided by individuals with lived experience to the extent available.

(g) Adopt guidelines directing referral to restrictive care settings. Mobile mental health relief providers ~~Responders~~ must have guidelines to follow when considering whether to refer an individual to more restrictive forms of care, like emergency room or hospital settings.

(h) Specify regional best practices. Mobile mental health relief providers ~~Responders~~ providing these services must do so consistently with best practices, which include respecting the care choices of the individuals receiving assistance. Regional best practices may be broken down into sub-regions, as appropriate to reflect local resources and conditions. With the agreement of the impacted EMS Regions, providers of emergency response to physical emergencies may participate in another EMS Region for mental and behavioral response, if that participation shall provide a better service to individuals experiencing a mental or behavioral health emergency.

(i) Adopt system for directing care in advance of an emergency. The Division of Mental Health shall select and publicly identify a system that allows individuals who voluntarily chose to do so to provide confidential advanced care directions to individuals providing services under this Act. No system for providing advanced care direction may be implemented unless the Division of Mental Health approves it as confidential, available to individuals at all economic levels, and non-stigmatizing. The Division of Mental Health may defer this requirement for providing a system for advanced care direction if it determines that no existing systems can currently meet these requirements.

(j) Train dispatching staff. The personnel staffing 9-1-1, 3-1-1, or other emergency response intake systems must be provided with adequate training to assess whether coordinating with 9-8-8 is appropriate.

(k) Establish protocol for emergency responder coordination. The Division of Mental Health shall establish a protocol for mobile mental health relief providers ~~responders~~, law enforcement, and fire and ambulance services to request assistance from each other, and train these groups on the protocol.

(l) Integrate law enforcement. The Division of Mental Health shall provide for law enforcement to request mobile mental health relief provider ~~responder~~ assistance whenever law enforcement engages an individual appropriate for services under this Act. If law enforcement would typically request EMS assistance when it encounters an individual with a physical health emergency, law enforcement shall similarly dispatch mental or behavioral health personnel or medical transportation when it encounters an individual in a mental or behavioral health emergency.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/30)

Sec. 30. State prohibitions. 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the Division of Mental Health must coordinate their services so that, based on the information provided to them, the following State prohibitions are avoided:

(a) Law enforcement responsibility for providing mental and behavioral health care. In any area where mobile mental health relief providers ~~responders~~ are available for dispatch, law enforcement shall not be dispatched to respond to an individual requiring mental or behavioral health care unless that individual is (i) involved in a suspected violation of the criminal laws of this State, or (ii) presents a threat of physical injury to self or others. Mobile mental health relief providers ~~Responders~~ are not considered available for dispatch

under this Section if 9-8-8 reports that it cannot dispatch appropriate service within the maximum response times established by each Regional Advisory Committee under Section 45.

(1) Standing on its own or in combination with each other, the fact that an individual is experiencing a mental or behavioral health emergency, or has a mental health, behavioral health, or other diagnosis, is not sufficient to justify an assessment that the individual is a threat of physical injury to self or others, or requires a law enforcement response to a request for emergency response or medical transportation.

(2) If, based on its assessment of the threat to public safety, law enforcement would not accompany medical transportation responding to a physical health emergency, unless requested by mobile mental health relief providers ~~responders~~, law enforcement may not accompany emergency response or medical transportation personnel responding to a mental or behavioral health emergency that presents an equivalent level of threat to self or public safety.

(3) Without regard to an assessment of threat to self or threat to public safety, law enforcement may station personnel so that they can rapidly respond to requests for assistance from mobile mental health relief providers ~~responders~~ if law enforcement does not interfere with the provision of emergency response or transportation services. To the extent practical, not interfering with services includes remaining sufficiently distant from or out of sight of the individual receiving care so that law enforcement presence is unlikely to escalate the emergency.

(b) Mobile mental health relief provider ~~Responder~~ involvement in involuntary commitment. In order to maintain the appropriate care relationship, mobile mental health relief providers ~~responders~~ shall not in any way assist in the involuntary commitment of an individual beyond (i) reporting to their dispatching entity or to law enforcement that they believe the situation requires assistance the mobile mental health relief providers ~~responders~~ are not permitted to provide under this Section; (ii) providing witness statements; and (iii) fulfilling reporting requirements the mobile mental health relief providers ~~responders~~ may have under their professional ethical obligations or laws of this state. This prohibition shall not interfere with any mobile mental health relief provider's ~~responder's~~ ability to provide physical or mental health care.

(c) Use of law enforcement for transportation. In any area where mobile mental health relief providers ~~responders~~ are available for dispatch, unless requested by mobile mental health relief providers ~~responders~~, law enforcement shall not be used to provide transportation to access mental or behavioral health care, or travel between mental or behavioral health care providers, except where no alternative is available.

(d) Reduction of educational institution obligations. The services coordinated under this Act may not be used to replace any service an educational institution is required to provide to a student. It shall not substitute for appropriate special education and related services that schools are required to provide by any law.

(e) Subsections (a), (c), and (d) are operative beginning on the date the 3 conditions in Section 65 are met or July 1, 2024, whichever is earlier. Subsection (b) is operative beginning on July 1, 2024.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/35)

Sec. 35. Non-violent misdemeanors. The Division of Mental Health's Guidance for 9-1-1 PSAPs and emergency services dispatched through 9-1-1 PSAPs for coordinating the response to individuals who appear to be in a mental or behavioral health emergency while engaging in conduct alleged to constitute a non-violent misdemeanor shall promote the following:

(a) Prioritization of Health Care. To the greatest extent practicable, community-based mental or behavioral health services should be provided before addressing law enforcement objectives.

(b) Diversion from Further Criminal Justice Involvement. To the greatest extent practicable, individuals should be referred to health care services with the potential to reduce the likelihood of further law enforcement engagement and referral to a pre-arrest or pre-booking case management unit should be prioritized in any areas served by pre-arrest or pre-booking case management.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/40)

Sec. 40. Statewide Advisory Committee.

(a) The Division of Mental Health shall establish a Statewide Advisory Committee to review and make recommendations for aspects of coordinating 9-1-1 and the 9-8-8 mobile mental health response system most appropriately addressed on a State level.

(b) Issues to be addressed by the Statewide Advisory Committee include, but are not limited to, addressing changes necessary in 9-1-1 call taking protocols and scripts used in 9-1-1 PSAPs where those protocols and scripts are based on or otherwise dependent on national providers for their operation.

(c) The Statewide Advisory Committee shall recommend a system for gathering data related to the coordination of the 9-1-1 and 9-8-8 systems for purposes of allowing the parties to make ongoing improvements in that system. As practical, the system shall attempt to determine issues including, but not limited to:

(1) the volume of calls coordinated between 9-1-1 and 9-8-8;

(2) the volume of referrals from other first responders to 9-8-8;

(3) the volume and type of calls deemed appropriate for referral to 9-8-8 but could not be served by 9-8-8 because of capacity restrictions or other reasons;

(4) the appropriate information to improve coordination between 9-1-1 and 9-8-8; and

(5) the appropriate information to improve the 9-8-8 system, if the information is most appropriately gathered at the 9-1-1 PSAPs.

(d) The Statewide Advisory Committee shall consist of:

(1) the Statewide 9-1-1 Administrator, ex officio;

(2) one representative designated by the Illinois Chapter of National Emergency Number Association (NENA);

(3) one representative designated by the Illinois Chapter of Association of Public Safety Communications Officials (APCO);

(4) one representative of the Division of Mental Health;

(5) one representative of the Illinois Department of Public Health;

(6) one representative of a statewide organization of EMS responders;

(7) one representative of a statewide organization of fire chiefs;

(8) two representatives of statewide organizations of law enforcement;

(9) two representatives of mental health, behavioral health, or substance abuse providers; and

(10) four representatives of advocacy organizations either led by or consisting primarily of individuals with intellectual or developmental disabilities, individuals with behavioral disabilities, or individuals with lived experience.

(e) The members of the Statewide Advisory Committee, other than the Statewide 9-1-1 Administrator, shall be appointed by the Secretary of Human Services.

(f) The Statewide Advisory Committee shall continue to meet until this Act has been fully implemented, as determined by the Division of Mental Health, and mobile mental health relief providers are available in all parts of Illinois. The Division of Mental Health may reconvene the Statewide Advisory Committee at its discretion after full implementation of this Act.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/45)

Sec. 45. Regional Advisory Committees.

(a) The Division of Mental Health shall establish Regional Advisory Committees in each EMS Region to advise on regional issues related to emergency response systems for mental and behavioral health. The Secretary of Human Services shall appoint the members of the Regional Advisory Committees. Each Regional Advisory Committee shall consist of:

(1) representatives of the 9-1-1 PSAPs in the region;

(2) representatives of the EMS Medical Directors Committee, as constituted under the Emergency Medical Services (EMS) Systems Act, or other similar committee serving the medical needs of the jurisdiction;

(3) representatives of law enforcement officials with jurisdiction in the Emergency Medical Services (EMS) Regions;

(4) representatives of both the EMS providers and the unions representing EMS or emergency mental and behavioral health responders, or both; and

(5) advocates from the mental health, behavioral health, intellectual disability, and developmental disability communities.

If no person is willing or available to fill a member's seat for one of the required areas of representation on a Regional Advisory Committee under paragraphs (1) through (5), the Secretary of Human Services shall adopt procedures to ensure that a missing area of representation is filled once a person becomes willing and available to fill that seat.

(b) The majority of advocates on the Regional Advisory ~~Emergency Response Equity~~ Committee must either be individuals with a lived experience of a condition commonly regarded as a mental health or behavioral health disability, developmental disability, or intellectual disability~~,~~ or be from organizations primarily composed of such individuals. The members of the Committee shall also reflect the racial demographics of the jurisdiction served. To achieve the requirements of this subsection, the Division of Mental Health must establish a clear plan and regular course of action to engage, recruit, and sustain areas of established participation. The plan and actions taken must be shared with the general public.

(c) Subject to the oversight of the Department of Human Services Division of Mental Health, the EMS Medical Directors Committee is responsible for convening the meetings of the committee. Impacted units of local government may also have representatives on the committee subject to approval by the Division of Mental Health, if this participation is structured in such a way that it does not give undue weight to any of the groups represented.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/50)

Sec. 50. Regional Advisory Committee responsibilities. Each Regional Advisory Committee is responsible for designing the local protocol to allow its region's 9-1-1 call center and emergency responders to coordinate their activities with 9-8-8 as required by this Act and monitoring current operation to advise on ongoing adjustments to the local protocol. Included in this responsibility, each Regional Advisory Committee must:

(1) negotiate the appropriate amendment of each 9-1-1 PSAP emergency dispatch protocols, in consultation with each 9-1-1 PSAP in the EMS Region and consistent with national certification requirements;

(2) set maximum response times for 9-8-8 to provide service when an in-person response is required, based on type of mental or behavioral health emergency, which, if exceeded, constitute grounds for sending other emergency responders through the 9-1-1 system;

(3) report, geographically by police district if practical, the data collected through the direction provided by the Statewide Advisory Committee in aggregated, non-individualized monthly reports. These reports shall be available to the Regional Advisory Committee members, the Department of Human Service Division of Mental Health, the Administrator of the 9-1-1 Authority, and to the public upon request; ~~and~~

(4) convene, after the initial regional policies are established, at least every 2 years to consider amendment of the regional policies, if any, and also convene whenever a member of the Committee requests that the Committee consider an amendment; and~~.~~

(5) identify regional resources and supports for use by the mobile mental health relief providers as they respond to the requests for services.

(Source: P.A. 102-580, eff. 1-1-22.)

(50 ILCS 754/65)

Sec. 65. PSAP and emergency service dispatched through a 9-1-1 PSAP; coordination of activities with mobile and behavioral health services. Each 9-1-1 PSAP and emergency service dispatched through a 9-1-1 PSAP must begin coordinating its activities with the mobile mental and behavioral health services established by the Division of Mental Health once all 3 of the following conditions are met, but not later than July 1, 2024 ~~2023~~:

(1) the Statewide Committee has negotiated useful protocol and 9-1-1 operator script adjustments with the contracted services providing these tools to 9-1-1 PSAPs operating in Illinois;

(2) the appropriate Regional Advisory Committee has completed design of the specific 9-1-1 PSAP's process for coordinating activities with the mobile mental and behavioral health service; and

(3) the mobile mental and behavioral health service is available in their jurisdiction.

(Source: P.A. 102-580, eff. 1-1-22; 102-1109, eff. 12-21-22.)

(50 ILCS 754/70 new)

Sec. 70. Report. On or before July 1, 2023 and on a quarterly basis thereafter, the Division of Mental Health shall submit a report to the General Assembly on its progress in implementing this Act, which shall include, but not be limited to, a strategic assessment that evaluates the success toward current strategy, identification of future targets for implementation that help estimate the potential for success and provides a basis for assessing future performance, and key benchmarks to provide a comparison to set in context and help stakeholders understand their positions.".

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Fine, **House Bill No. 1364** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	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.	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 in the Senate Amendments adopted thereto.

On motion of Senator Loughran Cappel, **House Bill No. 1581** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	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.	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.

On motion of Senator Johnson, **House Bill No. 2054** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 46; NAYS 9.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Chesney	Stoller
Bennett	Plummer	Syverson
Bryant	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 in the Senate Amendments adopted thereto.

On motion of Senator Ellman, **House Bill No. 2269** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

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.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 2317** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	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.	Murphy	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Jones, E.	Rezin	
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator DeWitte, **House Bill No. 2579** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

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.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	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.

At the hour of 12:29 o'clock p.m., Senator Koehler, presiding.

HOUSE BILL RECALLED

On motion of Senator Holmes, **House Bill No. 3095** was recalled from the order of third reading to the order of second reading.

Senator Holmes offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3095

AMENDMENT NO. 2 . Amend House Bill 3095 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 3.330 and by adding Section 22.63 as follows:

(415 ILCS 5/3.330) (was 415 ILCS 5/3.32)

Sec. 3.330. Pollution control facility.

(a) "Pollution control facility" is any waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, or waste incinerator. This includes sewers, sewage treatment plants, and any other facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act.

The following are not pollution control facilities:

(1) (blank);

(2) waste storage sites regulated under 40 CFR 761.42;

(3) sites or facilities used by any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation, or a combination thereof, for wastes generated by such person's own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled or operated by such person, or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person;

(4) sites or facilities at which the State is performing removal or remedial action pursuant to Section 22.2 or 55.3;

(5) abandoned quarries used solely for the disposal of concrete, earth materials, gravel, or aggregate debris resulting from road construction activities conducted by a unit of government or construction activities due to the construction and installation of underground pipes, lines, conduit or wires off of the premises of a public utility company which are conducted by a public utility;

(6) sites or facilities used by any person to specifically conduct a landscape composting operation;

(7) regional facilities as defined in the Central Midwest Interstate Low-Level Radioactive Waste Compact;

(8) the portion of a site or facility where coal combustion wastes are stored or disposed of in accordance with subdivision (r)(2) or (r)(3) of Section 21;

(9) the portion of a site or facility used for the collection, storage or processing of waste tires as defined in Title XIV;

(10) the portion of a site or facility used for treatment of petroleum contaminated materials by application onto or incorporation into the soil surface and any portion of that site or facility used for storage of petroleum contaminated materials before treatment. Only those categories of petroleum listed in Section 57.9(a)(3) are exempt under this subdivision (10);

(11) the portion of a site or facility where used oil is collected or stored prior to shipment to a recycling or energy recovery facility, provided that the used oil is generated by households or commercial establishments, and the site or facility is a recycling center or a business where oil or gasoline is sold at retail;

(11.5) processing sites or facilities that receive only on-specification used oil, as defined in 35 Ill. Adm. Code 739, originating from used oil collectors for processing that is managed under 35 Ill. Adm. Code 739 to produce products for sale to off-site petroleum facilities, if these processing sites or facilities are: (i) located within a home rule unit of local government with a population of at least 30,000 according to the 2000 federal census, that home rule unit of local government has been designated as an Urban Round II Empowerment Zone by the United States Department of Housing and Urban Development, and that home rule unit of local government has enacted an ordinance approving the location of the site or facility and provided funding for the site or facility; and (ii) in compliance with all applicable zoning requirements;

(12) the portion of a site or facility utilizing coal combustion waste for stabilization and treatment of only waste generated on that site or facility when used in connection with response actions pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the federal Resource Conservation and Recovery Act of 1976, or the Illinois Environmental Protection Act or as authorized by the Agency;

(13) the portion of a site or facility regulated under Section 22.38 of this Act;

(14) the portion of a site or facility, located within a unit of local government that has enacted local zoning requirements, used to accept, separate, and process uncontaminated broken concrete, with or without protruding metal bars, provided that the uncontaminated broken concrete and metal bars are not speculatively accumulated, are at the site or facility no longer than one year after their acceptance, and are returned to the economic mainstream in the form of raw materials or products;

(15) the portion of a site or facility located in a county with a population over 3,000,000 that has obtained local siting approval under Section 39.2 of this Act for a municipal waste incinerator on or before July 1, 2005 and that is used for a non-hazardous waste transfer station;

(16) a site or facility that temporarily holds in transit for 10 days or less, non-putrescible solid waste in original containers, no larger in capacity than 500 gallons, provided that such waste is further transferred to a recycling, disposal, treatment, or storage facility on a non-contiguous site and provided such site or facility complies with the applicable 10-day transfer requirements of the federal Resource Conservation and Recovery Act of 1976 and United States Department of Transportation hazardous material requirements. For purposes of this Section only, "non-putrescible solid waste" means waste other than municipal garbage that does not rot or become putrid, including, but not limited to, paints, solvent, filters, and absorbents;

(17) the portion of a site or facility located in a county with a population greater than 3,000,000 that has obtained local siting approval, under Section 39.2 of this Act, for a municipal waste incinerator on or before July 1, 2005 and that is used for wood combustion facilities for energy recovery that accept and burn only wood material, as included in a fuel specification approved by the Agency;

(18) a transfer station used exclusively for landscape waste, including a transfer station where landscape waste is ground to reduce its volume, where the landscape waste is held no longer than 24 hours from the time it was received;

(19) the portion of a site or facility that (i) is used for the composting of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste, including, but not limited to, corrugated paper or cardboard, and (ii) meets all of the following requirements:

(A) There must not be more than a total of 30,000 cubic yards of livestock waste in raw form or in the process of being composted at the site or facility at any one time.

(B) All food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must, by the end of each operating day, be processed and placed into an enclosed vessel in which air flow and temperature are controlled, or all of the following additional requirements must be met:

(i) The portion of the site or facility used for the composting operation must include a setback of at least 200 feet from the nearest potable water supply well.

(ii) The portion of the site or facility used for the composting operation must be located outside the boundary of the 10-year floodplain or floodproofed.

(iii) Except in municipalities with more than 1,000,000 inhabitants, the portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the nearest residence, other than a residence located on the same property as the site or facility.

(iv) The portion of the site or facility used for the composting operation must be located at least one-eighth of a mile from the property line of all of the following areas:

(I) Facilities that primarily serve to house or treat people that are immunocompromised or immunosuppressed, such as cancer or AIDS patients; people with asthma, cystic fibrosis, or bioaerosol allergies; or children under the age of one year.

(II) Primary and secondary schools and adjacent areas that the schools use for recreation.

(III) Any facility for child care licensed under Section 3 of the Child Care Act of 1969; preschools; and adjacent areas that the facilities or preschools use for recreation.

(v) By the end of each operating day, all food scrap, livestock waste, crop residue, uncontaminated wood waste, and paper waste must be (i) processed into windrows or other piles and (ii) covered in a manner that prevents scavenging by birds and animals and that prevents other nuisances.

(C) Food scrap, livestock waste, crop residue, uncontaminated wood waste, paper waste, and compost must not be placed within 5 feet of the water table.

(D) The site or facility must meet all of the requirements of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(E) The site or facility must not (i) restrict the flow of a 100-year flood, (ii) result in washout of food scrap, livestock waste, crop residue, uncontaminated wood waste, or paper waste from a 100-year flood, or (iii) reduce the temporary water storage capacity of the 100-year floodplain, unless measures are undertaken to provide alternative storage capacity, such as by providing lagoons, holding tanks, or drainage around structures at the facility.

(F) The site or facility must not be located in any area where it may pose a threat of harm or destruction to the features for which:

(i) an irreplaceable historic or archaeological site has been listed under the National Historic Preservation Act (16 U.S.C. 470 et seq.) or the Illinois Historic Preservation Act;

(ii) a natural landmark has been designated by the National Park Service or the Illinois State Historic Preservation Office; or

(iii) a natural area has been designated as a Dedicated Illinois Nature Preserve under the Illinois Natural Areas Preservation Act.

(G) The site or facility must not be located in an area where it may jeopardize the continued existence of any designated endangered species, result in the destruction or adverse modification of the critical habitat for such species, or cause or contribute to the taking of any endangered or threatened species of plant, fish, or wildlife listed under the Endangered Species Act (16 U.S.C. 1531 et seq.) or the Illinois Endangered Species Protection Act;

(20) the portion of a site or facility that is located entirely within a home rule unit having a population of no less than 120,000 and no more than 135,000, according to the 2000 federal census, and that meets all of the following requirements:

(i) the portion of the site or facility is used exclusively to perform testing of a thermochemical conversion technology using only woody biomass, collected as landscape waste within the boundaries of the home rule unit, as the hydrocarbon feedstock for the production of synthetic gas in accordance with Section 39.9 of this Act;

(ii) the portion of the site or facility is in compliance with all applicable zoning requirements; and

(iii) a complete application for a demonstration permit at the portion of the site or facility has been submitted to the Agency in accordance with Section 39.9 of this Act within one year after July 27, 2010 (the effective date of Public Act 96-1314);

(21) the portion of a site or facility used to perform limited testing of a gasification conversion technology in accordance with Section 39.8 of this Act and for which a complete permit application has been submitted to the Agency prior to one year from April 9, 2010 (the effective date of Public Act 96-887);

(22) the portion of a site or facility that is used to incinerate only pharmaceuticals from residential sources that are collected and transported by law enforcement agencies under Section 17.9A of this Act;

(23) the portion of a site or facility:

(A) that is used exclusively for the transfer of commingled landscape waste and food scrap held at the site or facility for no longer than 24 hours after their receipt;

(B) that is located entirely within a home rule unit having a population of (i) not less than 100,000 and not more than 115,000 according to the 2010 federal census, (ii) not less than 5,000 and not more than 10,000 according to the 2010 federal census, or (iii) not less than 25,000 and not more than 30,000 according to the 2010 federal census or that is located in the unincorporated area of a county having a population of not less than 700,000 and not more than 705,000 according to the 2010 federal census;

(C) that is permitted, by the Agency, prior to January 1, 2002, for the transfer of landscape waste if located in a home rule unit or that is permitted prior to January 1, 2008 if located in an unincorporated area of a county; and

(D) for which a permit application is submitted to the Agency to modify an existing permit for the transfer of landscape waste to also include, on a demonstration basis not to exceed 24 months each time a permit is issued, the transfer of commingled landscape waste and food scrap or for which a permit application is submitted to the Agency within 6 months of August 11, 2017 (the effective date of Public Act 100-94);

(24) the portion of a municipal solid waste landfill unit:

(A) that is located in a county having a population of not less than 55,000 and not more than 60,000 according to the 2010 federal census;

(B) that is owned by that county;

(C) that is permitted, by the Agency, prior to July 10, 2015 (the effective date of Public Act 99-12); and

(D) for which a permit application is submitted to the Agency within 6 months after July 10, 2015 (the effective date of Public Act 99-12) for the disposal of non-hazardous special waste; ~~and~~

(25) the portion of a site or facility used during a mass animal mortality event, as defined in the Animal Mortality Act, where such waste is collected, stored, processed, disposed, or incinerated under a mass animal mortality event plan issued by the Department of Agriculture; and ~~.~~

(26) the portion of a mine used for the placement of limestone residual materials generated from the treatment of drinking water by a municipal utility in accordance with rules adopted under Section 22.63.

(b) A new pollution control facility is:

(1) a pollution control facility initially permitted for development or construction after July 1, 1981; or

(2) the area of expansion beyond the boundary of a currently permitted pollution control facility; or

(3) a permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

(Source: P.A. 102-216, eff. 1-1-22; 102-310, eff. 8-6-21; 102-813, eff. 5-13-22.)

(415 ILCS 5/22.63 new)

Sec. 22.63. Rules for placement of limestone residual materials. The Board shall adopt rules for the placement of limestone residual materials generated from the treatment of drinking water by a municipal utility in an underground limestone mine located in whole or in part within the municipality that operates the municipal utility. The rules shall be consistent with the Board's Underground Injection Control regulations for Class V wells, provided that the rules shall allow for the limestone residual materials to be delivered to and placed in the mine by means other than an injection well. Rules adopted pursuant to this Section shall be adopted in accordance with the provisions and requirements of Title VII of this Act and the procedures for rulemaking in Section 5-35 of the Illinois Administrative Procedure Act, provided that a municipality proposing rules pursuant to this Section is not required to include in its proposal a petition signed by at least 200 persons as required under subsection (a) of Section 28. Rules adopted pursuant to this Section shall not be considered a part of the State Underground Injection Control program established under this Act.

As used in this Section, "limestone residual material" means limestone residual generated from the treatment of drinking water at a publicly-owned drinking water treatment plant.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Holmes, **House Bill No. 3095** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Ellman, **House Bill No. 3296** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 40; NAYS 17.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Plummer	Tracy
Bennett	Fowler	Rezin	Turner, S.
Bryant	Harriss, E.	Rose	
Chesney	Lewis	Stoller	
Curran	McClure	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.

At the hour of 12:37 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 12:42 o'clock p.m., the Senate resumed consideration of business.
Senator Hunter, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 17, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Motion to Concur in House Amendment No. 1 to Senate Bill 1701**.

Executive: **House Bills Numbered 219 and 297; Committee Amendment No. 1 to House Bill 1286; Floor Amendment No. 5 to House Bill 1342; Committee Amendment No. 5 to House Bill 1497; Floor Amendment No. 3 to House Bill 2450; Floor Amendment No. 1 to House Bill 2826; Committee Amendment No. 2 to House Bill 3093; Committee Amendment No. 1 to House Bill 3326; Committee Amendment No. 2 to House Bill 3643; Committee Amendment No. 3 to House Bill 3643; Motion to**

Concur in House Amendment No. 1 to Senate Bill 183, Motion to Concur in House Amendment No. 2 to Senate Bill 1782, Motion to Concur in House Amendment No. 3 to Senate Bill 1782, Motion to Concur in House Amendment No. 1 to Senate Bill 1886, Motion to Concur in House Amendment No. 1 to Senate Bill 1999, Motion to Concur in House Amendment No. 2 to Senate Bill 2017 and Motion to Concur in House Amendment No. 1 to Senate Bill 2192.

Licensed Activities: **Senate Joint Resolution No. 38; Motion to Concur in House Amendment No. 2 to Senate Bill 1250, Motion to Concur in House Amendment No. 4 to Senate Bill 1250 and Motion to Concur in House Amendment No. 1 to Senate Bill 1716**.

State Government: **House Joint Resolution No. 13; Floor Amendment No. 2 to House Bill 3566; Motion to Concur in House Amendment No. 4 to Senate Bill 724, Motion to Concur in House Amendment No. 5 to Senate Bill 724 and Motion to Concur in House Amendment No. 1 to Senate Bill 1803**.

Senate Special Committee on Pensions: **Floor Amendment No. 2 to House Bill 2352; Floor Amendment No. 3 to House Bill 2352; Motion to Concur in House Amendment No. 1 to Senate Bill 1233, Motion to Concur in House Amendment No. 2 to Senate Bill 1233 and Motion to Concur in House Amendment No. 1 to Senate Bill 1630**.

Senator Lightford, Chair of the Committee on Assignments, during its May 17, 2023 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Joint Resolutions Numbered 4, 28, 29, 31 and 39; House Joint Resolutions Numbered 15, 17 and 22

The foregoing resolutions were placed on the Senate Calendar.

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 1155**.

POSTING NOTICES WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bills numbered 218, 219, 297, 351, 1595, 2509, 2518, 2847, 3326 and 3643** so that the measures may be heard in the Committee on Executive that is scheduled to meet May 17, 2023.

The motion prevailed.

Senator Joyce moved to waive the six-day posting requirement on **Senate Resolution No. 278** so that the measure may be heard in the Committee on State Government that is scheduled to meet May 17, 2023.

The motion prevailed.

Senator Joyce moved to waive the six-day posting requirement on **House Bill No. 2829** so that the measure may be heard in the Committee on State Government that is scheduled to meet May 17, 2023.

The motion prevailed.

Senator Joyce moved to waive the six-day posting requirement on **House Joint Resolutions numbered 6 and 13** so that the measures may be heard in the Committee on State Government that is scheduled to meet May 17, 2023.

The motion prevailed.

Senator Glowiak Hilton moved to waive the six-day posting requirement on **Senate Joint Resolution No. 38** so that the measure may be heard in the Committee on Licensed Activities that is scheduled to meet May 17, 2023.

The motion prevailed.

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 305

Offered by Senator N. Harris and all Senators:
Mourns the passing of Angelyn Moye-Spears.

SENATE RESOLUTION NO. 306

Offered by Senator Lightford and all Senators:
Mourns the passing of Annie Katherine (Griffin) Betts.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Lightford, **House Bill No. 2392** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

HOUSE BILL RECALLED

On motion of Senator Lightford, **House Bill No. 2396** was recalled from the order of third reading to the order of second reading.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 2396

AMENDMENT NO. 3 . Amend House Bill 2396 as follows:

on page 2, line 14, after "attendance", by inserting "and may establish a kindergarten with half-day attendance"; and

on page 2, line 14, by replacing "The full-day" with "Full-day and half-day"; and

on page 2, line 23, by replacing "70%" with "76%"; and

on page 2, lines 25 and 26, by replacing "as of the date of the application" with "in Fiscal Year 2023".

The motion prevailed.
And the amendment was adopted and ordered printed.
Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO HOUSE BILL 2396

AMENDMENT NO. 4 . Amend House Bill 2396 as follows:

on page 7, line 22, by replacing "April 15" with "June 30"; and

on page 7, lines 23 and 24, by replacing "November 15, 2024" with "January 31, 2025".

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Lightford, **House Bill No. 2396** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

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 in the Senate Amendments adopted thereto.

On motion of Senator Preston, **House Bill No. 3345** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

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.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	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 in the Senate Amendment adopted thereto.

On motion of Senator Glowiak Hilton, **House Bill No. 3428** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

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.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox

Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	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 in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Anderson, **House Bill No. 3436** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 3 was withdrawn by the sponsor.

Senator Anderson offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 3436

AMENDMENT NO. 5 . Amend House Bill 3436, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-699.14 as follows:

(625 ILCS 5/3-699.14)

Sec. 3-699.14. Universal special license plates.

(a) In addition to any other special license plate, the Secretary, upon receipt of all applicable fees and applications made in the form prescribed by the Secretary, may issue Universal special license plates to residents of Illinois on behalf of organizations that have been authorized by the General Assembly to issue decals for Universal special license plates. Appropriate documentation, as determined by the Secretary, shall accompany each application. Authorized organizations shall be designated by amendment to this Section. When applying for a Universal special license plate the applicant shall inform the Secretary of the name of the authorized organization from which the applicant will obtain a decal to place on the plate. The Secretary shall make a record of that organization and that organization shall remain affiliated with that plate until the plate is surrendered, revoked, or otherwise cancelled. The authorized organization may charge a fee to offset the cost of producing and distributing the decal, but that fee shall be retained by the authorized organization and shall be separate and distinct from any registration fees charged by the Secretary. No decal, sticker, or other material may be affixed to a Universal special license plate other than a decal authorized by the General Assembly in this Section or a registration renewal sticker. The special plates issued under this Section shall be affixed only to passenger vehicles of the first division, including motorcycles and autocycles, or motor vehicles of the second division weighing not more than 8,000 pounds. Plates issued under this Section shall expire according to the multi-year procedure under Section 3-414.1 of this Code.

(b) The design, color, and format of the Universal special license plate shall be wholly within the discretion of the Secretary. Universal special license plates are not required to designate "Land of Lincoln", as prescribed in subsection (b) of Section 3-412 of this Code. The design shall allow for the application of a decal to the plate. Organizations authorized by the General Assembly to issue decals for Universal special license plates shall comply with rules adopted by the Secretary governing the requirements for and approval of Universal special license plate decals. The Secretary may, in his or her discretion, allow Universal special license plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. The Secretary of State must make a version of the special registration plates authorized under this Section in a form appropriate for motorcycles and autocycles.

(c) When authorizing a Universal special license plate, the General Assembly shall set forth whether an additional fee is to be charged for the plate and, if a fee is to be charged, the amount of the fee and how the fee is to be distributed. When necessary, the authorizing language shall create a special fund in the State treasury into which fees may be deposited for an authorized Universal special license plate. Additional fees may only be charged if the fee is to be paid over to a State agency or to a charitable entity that is in

compliance with the registration and reporting requirements of the Charitable Trust Act and the Solicitation for Charity Act. Any charitable entity receiving fees for the sale of Universal special license plates shall annually provide the Secretary of State a letter of compliance issued by the Attorney General verifying that the entity is in compliance with the Charitable Trust Act and the Solicitation for Charity Act.

(d) Upon original issuance and for each registration renewal period, in addition to the appropriate registration fee, if applicable, the Secretary shall collect any additional fees, if required, for issuance of Universal special license plates. The fees shall be collected on behalf of the organization designated by the applicant when applying for the plate. All fees collected shall be transferred to the State agency on whose behalf the fees were collected, or paid into the special fund designated in the law authorizing the organization to issue decals for Universal special license plates. All money in the designated fund shall be distributed by the Secretary subject to appropriation by the General Assembly.

(e) The following organizations may issue decals for Universal special license plates with the original and renewal fees and fee distribution as follows:

(1) The Illinois Department of Natural Resources.

(A) Original issuance: $25; with $10 to the Roadside Monarch Habitat Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Roadside Monarch Habitat Fund and $2 to the Secretary of State Special License Plate Fund.

(2) Illinois Veterans' Homes.

(A) Original issuance: $26, which shall be deposited into the Illinois Veterans' Homes Fund.

(B) Renewal: $26, which shall be deposited into the Illinois Veterans' Homes Fund.

(3) The Illinois Department of Human Services for volunteerism decals.

(A) Original issuance: $25, which shall be deposited into the Secretary of State Special License Plate Fund.

(B) Renewal: $25, which shall be deposited into the Secretary of State Special License Plate Fund.

(4) The Illinois Department of Public Health.

(A) Original issuance: $25; with $10 to the Prostate Cancer Awareness Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Prostate Cancer Awareness Fund and $2 to the Secretary of State Special License Plate Fund.

(5) Horsemen's Council of Illinois.

(A) Original issuance: $25; with $10 to the Horsemen's Council of Illinois Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Horsemen's Council of Illinois Fund and $2 to the Secretary of State Special License Plate Fund.

(6) K9s for Veterans, NFP.

(A) Original issuance: $25; with $10 to the Post-Traumatic Stress Disorder Awareness Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Post-Traumatic Stress Disorder Awareness Fund and $2 to the Secretary of State Special License Plate Fund.

(7) The International Association of Machinists and Aerospace Workers.

(A) Original issuance: $35; with $20 to the Guide Dogs of America Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 going to the Guide Dogs of America Fund and $2 to the Secretary of State Special License Plate Fund.

(8) Local Lodge 701 of the International Association of Machinists and Aerospace Workers.

(A) Original issuance: $35; with $10 to the Guide Dogs of America Fund, $10 to the Mechanics Training Fund, and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $30; with $13 to the Guide Dogs of America Fund, $15 to the Mechanics Training Fund, and $2 to the Secretary of State Special License Plate Fund.

(9) Illinois Department of Human Services.

(A) Original issuance: $25; with $10 to the Theresa Tracy Trot - Illinois CancerCare Foundation Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Theresa Tracy Trot - Illinois CancerCare Foundation Fund and $2 to the Secretary of State Special License Plate Fund.

(10) The Illinois Department of Human Services for developmental disabilities awareness decals.

(A) Original issuance: $25; with $10 to the Developmental Disabilities Awareness Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Developmental Disabilities Awareness Fund and $2 to the Secretary of State Special License Plate Fund.

(11) The Illinois Department of Human Services for pediatric cancer awareness decals.

(A) Original issuance: $25; with $10 to the Pediatric Cancer Awareness Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Pediatric Cancer Awareness Fund and $2 to the Secretary of State Special License Plate Fund.

(12) The Department of Veterans' Affairs for Fold of Honor decals.

(A) Original issuance: $25; with $10 to the Folds of Honor Foundation Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Folds of Honor Foundation Fund and $2 to the Secretary of State Special License Plate Fund.

(13) The Illinois chapters of the Experimental Aircraft Association for aviation enthusiast decals.

(A) Original issuance: $25; with $10 to the Experimental Aircraft Association Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Experimental Aircraft Association Fund and $2 to the Secretary of State Special License Plate Fund.

(14) The Illinois Department of Human Services for Child Abuse Council of the Quad Cities decals.

(A) Original issuance: $25; with $10 to the Child Abuse Council of the Quad Cities Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Child Abuse Council of the Quad Cities Fund and $2 to the Secretary of State Special License Plate Fund.

(15) The Illinois Department of Public Health for health care worker decals.

(A) Original issuance: $25; with $10 to the Illinois Health Care Workers Benefit Fund, and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Illinois Health Care Workers Benefit Fund and $2 to the Secretary of State Special License Plate Fund.

(16) The Department of Agriculture for Future Farmers of America decals.

(A) Original issuance: $25; with $10 to the Future Farmers of America Fund and $15 to the Secretary of State Special License Plate Fund.

(B) Renewal: $25; with $23 to the Future Farmers of America Fund and $2 to the Secretary of State Special License Plate Fund.

(17) The IBEW Thank a Line Worker decal.

(A) Original issuance: $15, which shall be deposited into the Secretary of State Special License Plate Fund.

(B) Renewal: $2, which shall be deposited into the Secretary of State Special License Plate Fund.

(f) The following funds are created as special funds in the State treasury:

(1) The Roadside Monarch Habitat Fund. All money in the Roadside Monarch Habitat Fund shall be paid as grants to the Illinois Department of Natural Resources to fund roadside monarch and other pollinator habitat development, enhancement, and restoration projects in this State.

(2) The Prostate Cancer Awareness Fund. All money in the Prostate Cancer Awareness Fund shall be paid as grants to the Prostate Cancer Foundation of Chicago.

(3) The Horsemen's Council of Illinois Fund. All money in the Horsemen's Council of Illinois Fund shall be paid as grants to the Horsemen's Council of Illinois.

(4) The Post-Traumatic Stress Disorder Awareness Fund. All money in the Post-Traumatic Stress Disorder Awareness Fund shall be paid as grants to K9s for Veterans, NFP for support, education, and awareness of veterans with post-traumatic stress disorder.

(5) The Guide Dogs of America Fund. All money in the Guide Dogs of America Fund shall be paid as grants to the International Guiding Eyes, Inc., doing business as Guide Dogs of America.

(6) The Mechanics Training Fund. All money in the Mechanics Training Fund shall be paid as grants to the Mechanics Local 701 Training Fund.

(7) The Theresa Tracy Trot - Illinois CancerCare Foundation Fund. All money in the Theresa Tracy Trot - Illinois CancerCare Foundation Fund shall be paid to the Illinois CancerCare Foundation for the purpose of furthering pancreatic cancer research.

(8) The Developmental Disabilities Awareness Fund. All money in the Developmental Disabilities Awareness Fund shall be paid as grants to the Illinois Department of Human Services to fund legal aid groups to assist with guardianship fees for private citizens willing to become guardians for individuals with developmental disabilities but who are unable to pay the legal fees associated with becoming a guardian.

(9) The Pediatric Cancer Awareness Fund. All money in the Pediatric Cancer Awareness Fund shall be paid as grants to the Cancer Center at Illinois for pediatric cancer treatment and research.

(10) The Folds of Honor Foundation Fund. All money in the Folds of Honor Foundation Fund shall be paid as grants to the Folds of Honor Foundation to aid in providing educational scholarships to military families.

(11) The Experimental Aircraft Association Fund. All money in the Experimental Aircraft Association Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to promote recreational aviation.

(12) The Child Abuse Council of the Quad Cities Fund. All money in the Child Abuse Council of the Quad Cities Fund shall be paid as grants to benefit the Child Abuse Council of the Quad Cities.

(13) The Illinois Health Care Workers Benefit Fund. All money in the Illinois Health Care Workers Benefit Fund shall be paid as grants to the Trinity Health Foundation for the benefit of health care workers, doctors, nurses, and others who work in the health care industry in this State.

(14) The Future Farmers of America Fund. All money in the Future Farmers of America Fund shall be paid as grants to the Illinois Association of Future Farmers of America.

(Source: P.A. 101-248, eff. 1-1-20; 101-256, eff. 1-1-20; 101-276, eff. 8-9-19; 101-282, eff. 1-1-20; 101-372, eff. 1-1-20; 102-383, eff. 1-1-22; 102-422, eff. 8-20-21; 102-423, eff. 8-20-21; 102-515, eff. 1-1-22; 102-558, eff. 8-20-21; 102-809, eff. 1-1-23; 102-813, eff. 5-13-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Anderson, **House Bill No. 3436** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Sims
Aquino	Fine	Lightford	Stadelman
Belt	Fowler	Loughran Cappel	Stoller
Bennett	Gillespie	Martwick	Syverson
Bryant	Glowiak Hilton	McClure	Tracy
Castro	Halpin	McConchie	Turner, D.
Cervantes	Harris, N.	Morrison	Turner, S.
Chesney	Harriss, E.	Murphy	Ventura
Cunningham	Holmes	Peters	Villa

Curran	Hunter	Porfirio	Villanueva
DeWitte	Johnson	Preston	Villivalam
Edly-Allen	Jones, E.	Rezin	Wilcox
Ellman	Joyce	Rose	Mr. President
Faraci	Koehler	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 in the Senate Amendments adopted thereto.

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 3436**.

On motion of Senator Fine, **House Bill No. 3508** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Loughran Cappel, **House Bill No. 3600** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAY 1.

The following voted in the affirmative:

Anderson	Fowler	Lightford	Stadelman
Aquino	Gillespie	Loughran Cappel	Stoller
Belt	Glowiak Hilton	Martwick	Syverson
Bennett	Halpin	McClure	Tracy
Bryant	Harris, N.	McConchie	Turner, D.

Castro	Harriss, E.	Morrison	Turner, S.
Cervantes	Hastings	Murphy	Ventura
Cunningham	Holmes	Peters	Villa
Curran	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Jones, E.	Rezin	Wilcox
Faraci	Joyce	Rose	Mr. President
Feigenholtz	Koehler	Simmons	
Fine	Lewis	Sims	

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 in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Villivalam, **House Bill No. 3690** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3690

AMENDMENT NO. 1 . Amend House Bill 3690 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 3-11, 10-20.36, 10-20.61, 10-22.24b, 10-22.39, 10-23.12, 22-30, 27-23.6, 27-23.10, 34-18.25, and 34-18.54 as follows:

(105 ILCS 5/3-11) (from Ch. 122, par. 3-11)

Sec. 3-11. Institutes or inservice training workshops. In counties of less than 2,000,000 inhabitants, the regional superintendent may arrange for or conduct district, regional, or county institutes, or equivalent professional educational experiences, not more than 4 days annually. Of those 4 days, 2 days may be used as a teachers, administrators, and school support personnel ~~teacher's and educational support personnel~~ workshop, when approved by the regional superintendent, up to 2 days may be used for conducting parent-teacher conferences, or up to 2 days may be utilized as parental institute days as provided in Section 10-22.18d. School ~~Educational~~ support personnel may be exempt from a workshop if the workshop is not relevant to the work they do. A school district may use one of its 4 institute days on the last day of the school term. "Institute" or "Professional educational experiences" means any educational gathering, demonstration of methods of instruction, visitation of schools or other institutions or facilities, sexual abuse and sexual assault awareness seminar, or training in First Aid (which may include cardiopulmonary resuscitation or defibrillator training) held or approved by the regional superintendent and declared by him to be an institute day, or parent-teacher conferences. With the concurrence of the State Superintendent of Education, the regional superintendent ~~he or she~~ may employ such assistance as is necessary to conduct the institute. Two or more adjoining counties may jointly hold an institute. Institute instruction shall be free to holders of licenses good in the county or counties holding the institute and to those who have paid an examination fee and failed to receive a license.

In counties of 2,000,000 or more inhabitants, the regional superintendent may arrange for or conduct district, regional, or county inservice training workshops, or equivalent professional educational experiences, not more than 4 days annually. Of those 4 days, 2 days may be used as a teachers, administrators, and school support personnel ~~teacher's and educational support personnel~~ workshop, when approved by the regional superintendent, up to 2 days may be used for conducting parent-teacher

conferences, or up to 2 days may be utilized as parental institute days as provided in Section 10-22.18d. School ~~Educational~~ support personnel may be exempt from a workshop if the workshop is not relevant to the work they do. A school district may use one of those 4 days on the last day of the school term. "Inservice Training Workshops" or "Professional educational experiences" means any educational gathering, demonstration of methods of instruction, visitation of schools or other institutions or facilities, sexual abuse and sexual assault awareness seminar, or training in First Aid (which may include cardiopulmonary resuscitation or defibrillator training) held or approved by the regional superintendent and declared by the regional superintendent ~~him~~ to be an inservice training workshop, or parent-teacher conferences. With the concurrence of the State Superintendent of Education, the regional superintendent ~~he~~ may employ such assistance as is necessary to conduct the inservice training workshop. With the approval of the regional superintendent, 2 or more adjoining districts may jointly hold an inservice training workshop. In addition, with the approval of the regional superintendent, one district may conduct its own inservice training workshop with subject matter consultants requested from the county, State or any State institution of higher learning.

Such ~~teachers~~ institutes as referred to in this Section may be held on consecutive or separate days at the option of the regional superintendent having jurisdiction thereof.

Whenever reference is made in this Act to "~~teachers~~ institute", it shall be construed to include the inservice training workshops or equivalent professional educational experiences provided for in this Section.

Any institute advisory committee existing on April 1, 1995, is dissolved and the duties and responsibilities of the institute advisory committee are assumed by the regional office of education advisory board.

Districts providing inservice training programs shall constitute inservice committees, 1/2 of which shall be teachers, 1/4 school service personnel and 1/4 administrators to establish program content and schedules.

In addition to other topics not listed in this Section, the ~~The~~ teachers institutes shall include ~~teacher~~ training committed to health conditions of students; social-emotional learning; developing cultural competency; identifying warning signs of mental illness and suicidal behavior in youth; domestic and sexual violence and the needs of expectant and parenting youth; protections and accommodations for students; educator ethics; responding to child sexual abuse and grooming behavior; and effective instruction in violence prevention and conflict resolution. Institute programs in these topics shall be credited toward hours of professional development required for license renewal as outlined in subsection (e) of Section 21B-45 ~~(i) peer counseling programs and other anti-violence and conflict resolution programs, including without limitation programs for preventing at risk students from committing violent acts, and (ii) educator ethics and teacher student conduct. Beginning with the 2009-2010 school year, the teachers institutes shall include instruction on prevalent student chronic health conditions. Beginning with the 2016-2017 school year, the teachers institutes shall include, at least once every 2 years, instruction on the federal Americans with Disabilities Act as it pertains to the school environment~~.

(Source: P.A. 99-30, eff. 7-10-15; 99-616, eff. 7-22-16.)

(105 ILCS 5/10-20.36)

Sec. 10-20.36. Psychotropic or psychostimulant medication; disciplinary action.

(a) In this Section:

"Psychostimulant medication" means medication that produces increased levels of mental and physical energy and alertness and an elevated mood by stimulating the central nervous system.

"Psychotropic medication" means psychotropic medication as defined in Section 1-121.1 of the Mental Health and Developmental Disabilities Code.

(b) Each school board must adopt and implement a policy that prohibits any disciplinary action that is based totally or in part on the refusal of a student's parent or guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

~~The policy must require that, at least once every 2 years, the in-service training of certified school personnel and administrators include training on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.~~

(c) This Section does not prohibit school medical staff, an individualized educational program team, or a qualified ~~professional~~ worker (as defined in Section 14-1.10 of this Code) from recommending that a

student be evaluated by an appropriate medical practitioner or prohibit school personnel from consulting with the practitioner with the consent of the student's parents or guardian.
(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/10-20.61)

Sec. 10-20.61. Implicit bias training.

(a) The General Assembly makes the following findings:

(1) implicit racial bias influences evaluations of and behavior toward those who are the subject of the bias;

(2) understanding implicit racial bias is needed in order to reduce that bias;

(3) marginalized students would benefit from having access to educators who have worked to reduce their biases; and

(4) training that helps educators overcome implicit racial bias has implication for classroom interactions, student evaluation, and classroom engagement; it also affects student academic self-concept.

(b) Teachers, administrators, and school support personnel shall complete training ~~Each school board shall require in service training for school personnel to include training~~ to develop cultural competency, including understanding and reducing implicit racial bias, as outlined in Sections 10-22.39 and 3-11.

(c) As used in this Section, "implicit racial bias" means a preference, positive or negative, for a racial or ethnic group that operates outside of awareness. This bias has 3 different components: affective, behavioral, and cognitive.
(Source: P.A. 100-14, eff. 7-1-17; 100-863, eff. 8-14-18.)

(105 ILCS 5/10-22.24b)

Sec. 10-22.24b. School counseling services. School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code.

School counseling services may include, but are not limited to:

(1) designing and delivering a comprehensive school counseling program that promotes student achievement and wellness;

(2) incorporating the common core language into the school counselor's work and role;

(3) school counselors working as culturally skilled professionals who act sensitively to promote social justice and equity in a pluralistic society;

(4) providing individual and group counseling;

(5) providing a core counseling curriculum that serves all students and addresses the knowledge and skills appropriate to their developmental level through a collaborative model of delivery involving the school counselor, classroom teachers, and other appropriate education professionals, and including prevention and pre-referral activities;

(6) making referrals when necessary to appropriate offices or outside agencies;

(7) providing college and career development activities and counseling;

(8) developing individual career plans with students, which includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school as described in paragraph (55);

(9) assisting all students with a college or post-secondary education plan, which must include a discussion on all post-secondary education options, including 4-year colleges or universities, community colleges, and vocational schools, and includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school as described in paragraph (55);

(10) intentionally addressing the career and college needs of first generation students;

(11) educating all students on scholarships, financial aid, and preparation of the Federal Application for Federal Student Aid;

(12) collaborating with institutions of higher education and local community colleges so that students understand post-secondary education options and are ready to transition successfully;

(13) providing crisis intervention and contributing to the development of a specific crisis plan within the school setting in collaboration with multiple stakeholders;

(14) educating students, teachers, and parents on anxiety, depression, cutting, and suicide issues and intervening with students who present with these issues;

(15) providing counseling and other resources to students who are in crisis;

(16) providing resources for those students who do not have access to mental health services;

(17) addressing bullying and conflict resolution with all students;

(18) teaching communication skills and helping students develop positive relationships;

(19) using culturally sensitive ~~culturally sensitive~~ skills in working with all students to promote wellness;

(20) addressing the needs of undocumented students in the school, as well as students who are legally in the United States, but whose parents are undocumented;

(21) contributing to a student's functional behavioral assessment, as well as assisting in the development of non-aversive behavioral intervention strategies;

(22) (i) assisting students in need of special education services by implementing the academic supports and social-emotional and college or career development counseling services or interventions per a student's individualized education program (IEP); (ii) participating in or contributing to a student's IEP and completing a social-developmental history; or (iii) providing services to a student with a disability under the student's IEP or federal Section 504 plan, as recommended by the student's IEP team or Section 504 plan team and in compliance with federal and State laws and rules governing the provision of educational and related services and school-based accommodations to students with disabilities and the qualifications of school personnel to provide such services and accommodations;

(23) assisting in the development of a personal educational plan with each student;

(24) educating students on dual credit and learning opportunities on the Internet;

(25) providing information for all students in the selection of courses that will lead to post-secondary education opportunities toward a successful career;

(26) interpreting achievement test results and guiding students in appropriate directions;

(27) counseling with students, families, and teachers, in compliance with federal and State laws;

(28) providing families with opportunities for education and counseling as appropriate in relation to the student's educational assessment;

(29) consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of students;

(30) teaming and partnering with staff, parents, businesses, and community organizations to support student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

(32) developing culturally sensitive ~~culturally sensitive~~ assessment instruments for measuring school counseling prevention and intervention effectiveness and collecting, analyzing, and interpreting data;

(33) participating on school and district committees to advocate for student programs and resources, as well as establishing a school counseling advisory council that includes representatives of key stakeholders selected to review and advise on the implementation of the school counseling program;

(34) acting as a liaison between the public schools and community resources and building relationships with important stakeholders, such as families, administrators, teachers, and board members;

(35) maintaining organized, clear, and useful records in a confidential manner consistent with Section 5 of the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and the Health Insurance Portability and Accountability Act;

(36) presenting an annual agreement to the administration, including a formal discussion of the alignment of school and school counseling program missions and goals and detailing specific school counselor responsibilities;

(37) identifying and implementing culturally sensitive ~~culturally sensitive~~ measures of success for student competencies in each of the 3 domains of academic, social and emotional, and college and career learning based on planned and periodic assessment of the comprehensive developmental school counseling program;

(38) collaborating as a team member in Response to Intervention (RtI) and other school initiatives;

(39) conducting observations and participating in recommendations or interventions regarding the placement of children in educational programs or special education classes;

(40) analyzing data and results of school counseling program assessments, including curriculum, small-group, and closing-the-gap results reports, and designing strategies to continue to improve program effectiveness;

(41) analyzing data and results of school counselor competency assessments;

(42) following American School Counselor Association Ethical Standards for School Counselors to demonstrate high standards of integrity, leadership, and professionalism;

(43) knowing and embracing common core standards by using common core language;

(44) practicing as a culturally skilled ~~culturally-skilled~~ school counselor by infusing the multicultural competencies within the role of the school counselor, including the practice of culturally sensitive ~~culturally-sensitive~~ attitudes and beliefs, knowledge, and skills;

(45) infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor's role in ways that empower and enable students to achieve academic success across all grade levels;

(46) providing services only in areas in which the school counselor has appropriate training or expertise, as well as only providing counseling or consulting services within his or her employment to any student in the district or districts which employ such school counselor, in accordance with professional ethics;

(47) having adequate training in supervision knowledge and skills in order to supervise school counseling interns enrolled in graduate school counselor preparation programs that meet the standards established by the State Board of Education;

(48) being involved with State and national professional associations;

(49) complete the required training as outlined in Section 10-22.39 ~~participating, at least once every 2 years, in an in-service training program for school counselors conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth, which shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality; at a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence~~;

(50) (blank); ~~participating, at least every 2 years, in an in-service training program for school counselors conducted by persons with expertise in anaphylactic reactions and management;~~

(51) (blank); ~~participating, at least once every 2 years, in an in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel;~~

(52) (blank); ~~participating, in addition to other topics at in-service training programs, in training to identify the warning signs of mental illness and suicidal behavior in adolescents and teenagers and learning appropriate intervention and referral techniques;~~

(53) (blank); ~~obtaining training to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral and any other information that may be appropriate considering the age and grade level of the pupils; the school board shall supervise such training and the State Board of Education and the Department of Public Health shall jointly develop standards for such training;~~

(54) participating in mandates from the State Board of Education for bullying education and social-emotional literacy ~~literary~~; and

(55) promoting career and technical education by assisting each student to determine an appropriate postsecondary plan based upon the student's skills, strengths, and goals and assisting the student to implement the best practices that improve career or workforce readiness after high school.

School districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. School districts may have school counselors spend at least 80% of his or her work time in direct contact with students.

Nothing in this Section prohibits other qualified professionals, including other endorsed school support personnel, from providing the services listed in this Section.

(Source: P.A. 101-290, eff. 8-9-19; 102-876, eff. 1-1-23; revised 12-9-22.)

(105 ILCS 5/10-22.39)

Sec. 10-22.39. In-service training programs.

(a) To conduct in-service training programs for teachers, administrators, and school support personnel.

(b) In addition to other topics at in-service training programs listed in this Section, teachers, administrators, and school support personnel who work with pupils must be trained in the following topics: health conditions of students; social-emotional learning; developing cultural competency; identifying warning signs of mental illness and suicidal behavior in youth; domestic and sexual violence and the needs of expectant and parenting youth; protections and accommodations for students; educator ethics; responding to child sexual abuse and grooming behavior; and effective instruction in violence prevention and conflict resolution. In-service training programs in these topics shall be credited toward hours of professional development required for license renewal as outlined in subsection (e) of Section 21B-45.

School support personnel may be exempt from in-service training if the training is not relevant to the work they do.

Nurses and school nurses, as defined by Section 10-22.23, are exempt from training required in subsection (b-5).

Beginning July 1, 2024, all teachers, administrators, and school support personnel shall complete training as outlined in Section 10-22.39 during an in-service training program conducted by their school board or through other training opportunities, including, but not limited to, institutes under Section 3-11. Such training must be completed within 6 months of employment by a school board and renewed at least once every 5 years, unless required more frequently by other State or federal law or in accordance with this Section. If teachers, administrators, or school support personnel obtain training outside of an in-service training program or from a previous public school district or nonpublic school employer, they may present documentation showing current compliance with this subsection to satisfy the requirement of receiving training within 6 months of first being employed. Training may be delivered through online, asynchronous means.

(b-5) Training regarding health conditions of students for staff required by this Section shall include, but is not limited to:

(1) Chronic health conditions of students.

(2) Anaphylactic reactions and management. Such training shall be conducted by persons with expertise in anaphylactic reactions and management.

(3) The management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.

(4) The basics of seizure recognition and first aid and appropriate emergency protocols. Such training must be fully consistent with the best practice guidelines issued by the Centers for Disease Control and Prevention.

(5) The basics of diabetes care, how to identify when a student with diabetes needs immediate or emergency medical attention, and whom to contact in the case of an emergency.

(6) Current best practices regarding the identification and treatment of attention deficit hyperactivity disorder.

(7) Instruction on how to respond to an incident involving life-threatening bleeding and, if applicable, how to use a school's trauma kit. Beginning with the 2024-2025 school year, training on life-threatening bleeding must be completed within 6 months of the employee first being employed by a school board and renewed within 2 years. Beginning with the 2027-2028 school year, the training must be completed within 6 months of the employee first being employed by a school board and renewed at least once every 5 years thereafter.

In consultation with professional organizations with expertise in student health issues, including, but not limited to, asthma management, anaphylactic reactions, seizure recognition, and diabetes care, the State Board of Education shall make available resource materials for educating school personnel about student health conditions and emergency response in the school setting.

A school board may satisfy the life-threatening bleeding training under this subsection by using the training, including online training, available from the American College of Surgeons or any other similar organization.

(b-10) The training regarding social-emotional learning, for staff required by this Section may include, at a minimum, providing education to all school personnel about the content of the Illinois Social and Emotional Learning Standards, how those standards apply to everyday school interactions, and

examples of how social emotional learning can be integrated into instructional practices across all grades and subjects.

(b-15) The training regarding developing cultural competency for staff required by this Section shall include, but is not limited to, understanding and reducing implicit bias, including implicit racial bias. As used in this subsection, "implicit racial bias" has the meaning set forth in Section 10-20.61.

(b-20) The training regarding identifying warning signs of mental illness, trauma, and suicidal behavior in youth for staff required by this Section shall include, but is not limited to, appropriate intervention and referral techniques, including resources and guidelines as outlined in Section 2-3.166.

Illinois Mental Health First Aid training, established under the Illinois Mental Health First Aid Training Act, may satisfy the requirements of this subsection.

If teachers, administrators, or school support personnel obtain mental health first aid training outside of an in-service training program, they may present a certificate of successful completion of the training to the school district to satisfy the requirements of this subsection. Training regarding the implementation of trauma-informed practices satisfies the requirements of this subsection.

(b-25) As used in this subsection:

"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 or in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 2012, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.

The training regarding domestic and sexual violence and the needs of expectant and parenting youth for staff required by this Section must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth, and shall include, but is not limited to:

(1) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth;

(2) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed;

(3) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence; and

(4) procedures for responding to incidents of teen dating violence that take place at the school, on school grounds, at school-sponsored activities, or in vehicles used for school-provided transportation as outlined in Section 3.10 of the Critical Health Problems and Comprehensive Health Education Act.

(b-30) The training regarding protections and accommodations for students shall include, but is not limited to, instruction on the federal Americans with Disabilities Act, as it pertains to the school environment, and homelessness. Beginning with the 2024-2025 school year, training on homelessness must be completed within 6 months of an employee first being employed by a school board and renewed within 2 years. Beginning with the 2027-2028 school year, the training must be completed within 6 months of the employee first being employed by a school board and renewed at least once every 5 years thereafter. Training on homelessness shall include the following:

(1) the definition of homeless children and youths under 42 U.S.C. 11434a;

(2) the signs of homelessness and housing insecurity;

(3) the rights of students experiencing homelessness under State and federal law;

(4) the steps to take when a homeless or housing-insecure student is identified; and

(5) the appropriate referral techniques, including the name and contact number of the school or school district homeless liaison.

School boards may work with a community-based organization that specializes in working with homeless children and youth to develop and provide the training.

(b-35) The training regarding educator ethics and responding to child sexual abuse and grooming behavior shall include, but is not limited to, teacher-student conduct, school employee-student conduct, and evidence-informed training on preventing, recognizing, reporting, and responding to child sexual abuse and grooming as outlined in Section 10-23.13.

(b-40) The training regarding effective instruction in violence prevention and conflict resolution required by this Section shall be conducted in accordance with the requirements of Section 27-23.4.

(c) Beginning July 1, 2024, all nonpublic elementary and secondary school teachers, administrators, and school support personnel shall complete the training set forth in subsection (b-5). Training must be completed within 6 months of first being employed by a nonpublic school and renewed at least once every 5 years, unless required more frequently by other State or federal law. If nonpublic teachers, administrators, or school support personnel obtain training from a public school district or nonpublic school employer, the teacher, administrator, or school support personnel may present documentation to the nonpublic school showing current compliance with this subsection to satisfy the requirement of receiving training within 6 months of first being employed. ~~at least once every 2 years, licensed school personnel and administrators who work with pupils in kindergarten through grade 12 shall be trained to identify the warning signs of mental illness, trauma, and suicidal behavior in youth and shall be taught appropriate intervention and referral techniques. A school district may utilize the Illinois Mental Health First Aid training program, established under the Illinois Mental Health First Aid Training Act and administered by certified instructors trained by a national association recognized as an authority in behavioral health, to provide the training and meet the requirements under this subsection. If licensed school personnel or an administrator obtains mental health first aid training outside of an in service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the requirements of this subsection.~~

~~Training regarding the implementation of trauma-informed practices satisfies the requirements of this subsection (b).~~

~~A course of instruction as described in this subsection (b) may provide information that is relevant to and within the scope of the duties of licensed school personnel or school administrators. Such information may include, but is not limited to:~~

~~(1) the recognition of and care for trauma in students and staff;~~

~~(2) the relationship between educator wellness and student learning;~~

~~(3) the effect of trauma on student behavior and learning;~~

~~(4) the prevalence of trauma among students, including the prevalence of trauma among student populations at higher risk of experiencing trauma;~~

~~(5) the effects of implicit or explicit bias on recognizing trauma among various student groups in connection with race, ethnicity, gender identity, sexual orientation, socio-economic status, and other relevant factors; and~~

~~(6) effective district practices that are shown to:~~

~~(A) prevent and mitigate the negative effect of trauma on student behavior and learning; and~~

~~(B) support the emotional wellness of staff.~~

(c) (Blank). ~~School counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral, and any other information that may be appropriate considering the age and grade level of such pupils. The School Board shall supervise such training. The State Board of Education and the Department of Public Health shall jointly develop standards for such training.~~

(d) (Blank). ~~In this subsection (d):~~

~~"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.~~

~~"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 or the Criminal Code of 2012 in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.~~

~~At least once every 2 years, an in service training program for school personnel who work with pupils, including, but not limited to, school and school district administrators, teachers, school social workers, school counselors, school psychologists, and school nurses, must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth and shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and~~

~~expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district's policies, procedures, and protocols with regard to such youth, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.~~

(e) (Blank). ~~At least every 2 years, an in-service training program for school personnel who work with pupils must be conducted by persons with expertise in anaphylactic reactions and management.~~

(f) (Blank). ~~At least once every 2 years, a school board shall conduct in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel.~~

(Source: P.A. 101-350, eff. 1-1-20; 102-197, eff. 7-30-21; 102-638, eff. 1-1-23; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-23.12) (from Ch. 122, par. 10-23.12)

Sec. 10-23.12. Child abuse and neglect; ~~detection, reporting, and prevention;~~ willful or negligent failure to report.

(a) (Blank). ~~To provide staff development for local school site personnel who work with pupils in grades kindergarten through 8 in the detection, reporting, and prevention of child abuse and neglect.~~

(b) (Blank). ~~The Department of Children and Family Services may, in cooperation with school officials, distribute appropriate materials in school buildings listing the toll-free telephone number established in Section 7.6 of the Abused and Neglected Child Reporting Act, including methods of making a report under Section 7 of the Abused and Neglected Child Reporting Act, to be displayed in a clearly visible location in each school building.~~

(c) Except for an employee licensed under Article 21B of this Code, if a school board determines that any school district employee has willfully or negligently failed to report an instance of suspected child abuse or neglect, as required by the Abused and Neglected Child Reporting Act, then the school board may dismiss that employee immediately upon that determination. For purposes of this subsection (c), negligent failure to report an instance of suspected child abuse or neglect occurs when a school district employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act, and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to the Department of Children and Family Services, as required by the Abused and Neglected Child Reporting Act.

(Source: P.A. 100-413, eff. 1-1-18; 100-468, eff. 6-1-18; 101-531, eff. 8-23-19.)

(105 ILCS 5/22-30)

Sec. 22-30. Self-administration and self-carry of asthma medication and epinephrine injectors; administration of undesignated epinephrine injectors; administration of an opioid antagonist; administration of undesignated asthma medication; asthma episode emergency response protocol.

(a) For the purpose of this Section only, the following terms shall have the meanings set forth below:

"Asthma action plan" means a written plan developed with a pupil's medical provider to help control the pupil's asthma. The goal of an asthma action plan is to reduce or prevent flare-ups and emergency department visits through day-to-day management and to serve as a student-specific document to be referenced in the event of an asthma episode.

"Asthma episode emergency response protocol" means a procedure to provide assistance to a pupil experiencing symptoms of wheezing, coughing, shortness of breath, chest tightness, or breathing difficulty.

"Epinephrine injector" includes an auto-injector approved by the United States Food and Drug Administration for the administration of epinephrine and a pre-filled syringe approved by the United States Food and Drug Administration and used for the administration of epinephrine that contains a pre-measured dose of epinephrine that is equivalent to the dosages used in an auto-injector.

"Asthma medication" means quick-relief asthma medication, including albuterol or other short-acting bronchodilators, that is approved by the United States Food and Drug Administration for the treatment of respiratory distress. "Asthma medication" includes medication delivered through a device, including a metered dose inhaler with a reusable or disposable spacer or a nebulizer with a mouthpiece or mask.

"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.

"Respiratory distress" means the perceived or actual presence of wheezing, coughing, shortness of breath, chest tightness, breathing difficulty, or any other symptoms consistent with asthma. Respiratory distress may be categorized as "mild-to-moderate" or "severe".

"School nurse" means a registered nurse working in a school with or without licensure endorsed in school nursing.

"Self-administration" means a pupil's discretionary use of his or her prescribed asthma medication or epinephrine injector.

"Self-carry" means a pupil's ability to carry his or her prescribed asthma medication or epinephrine injector.

"Standing protocol" may be issued by (i) a physician licensed to practice medicine in all its branches, (ii) a licensed physician assistant with prescriptive authority, or (iii) a licensed advanced practice registered nurse with prescriptive authority.

"Trained personnel" means any school employee or volunteer personnel authorized in Sections 10-22.34, 10-22.34a, and 10-22.34b of this Code who has completed training under subsection (g) of this Section to recognize and respond to anaphylaxis, an opioid overdose, or respiratory distress.

"Undesignated asthma medication" means asthma medication prescribed in the name of a school district, public school, charter school, or nonpublic school.

"Undesignated epinephrine injector" means an epinephrine injector prescribed in the name of a school district, public school, charter school, or nonpublic school.

(b) A school, whether public, charter, or nonpublic, must permit the self-administration and self-carry of asthma medication by a pupil with asthma or the self-administration and self-carry of an epinephrine injector by a pupil, provided that:

(1) the parents or guardians of the pupil provide to the school (i) written authorization from the parents or guardians for (A) the self-administration and self-carry of asthma medication or (B) the self-carry of asthma medication or (ii) for (A) the self-administration and self-carry of an epinephrine injector or (B) the self-carry of an epinephrine injector, written authorization from the pupil's physician, physician assistant, or advanced practice registered nurse; and

(2) the parents or guardians of the pupil provide to the school (i) the prescription label, which must contain the name of the asthma medication, the prescribed dosage, and the time at which or circumstances under which the asthma medication is to be administered, or (ii) for the self-administration or self-carry of an epinephrine injector, a written statement from the pupil's physician, physician assistant, or advanced practice registered nurse containing the following information:

(A) the name and purpose of the epinephrine injector;

(B) the prescribed dosage; and

(C) the time or times at which or the special circumstances under which the epinephrine injector is to be administered.

The information provided shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

(b-5) A school district, public school, charter school, or nonpublic school may authorize the provision of a student-specific or undesignated epinephrine injector to a student or any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 to administer an epinephrine injector to the student, that meets the student's prescription on file.

(b-10) The school district, public school, charter school, or nonpublic school may authorize a school nurse or trained personnel to do the following: (i) provide an undesignated epinephrine injector to a student for self-administration only or any personnel authorized under a student's Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or individualized education program plan to administer to the student that meets the student's prescription on file; (ii) administer an undesignated epinephrine injector that meets the prescription on file to any student who has an Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or individualized education program plan that authorizes the use of an epinephrine injector; (iii) administer an undesignated epinephrine injector to any person that the school nurse or trained personnel in good faith believes is having an anaphylactic reaction; (iv) administer an opioid antagonist to any person that the school nurse or trained personnel in good faith believes is having an opioid overdose; (v) provide undesignated asthma medication to a student for self-administration only or to any personnel authorized under a student's Individual Health Care Action Plan or asthma action plan, plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or

individualized education program plan to administer to the student that meets the student's prescription on file; (vi) administer undesignated asthma medication that meets the prescription on file to any student who has an Individual Health Care Action Plan or asthma action plan, plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or individualized education program plan that authorizes the use of asthma medication; and (vii) administer undesignated asthma medication to any person that the school nurse or trained personnel believes in good faith is having respiratory distress.

(c) The school district, public school, charter school, or nonpublic school must inform the parents or guardians of the pupil, in writing, that the school district, public school, charter school, or nonpublic school and its employees and agents, including a physician, physician assistant, or advanced practice registered nurse providing standing protocol and a prescription for school epinephrine injectors, an opioid antagonist, or undesignated asthma medication, are to incur no liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epinephrine injector, or an opioid antagonist regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse. The parents or guardians of the pupil must sign a statement acknowledging that the school district, public school, charter school, or nonpublic school and its employees and agents are to incur no liability, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epinephrine injector, or an opioid antagonist regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse and that the parents or guardians must indemnify and hold harmless the school district, public school, charter school, or nonpublic school and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the administration of asthma medication, an epinephrine injector, or an opioid antagonist regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse.

(c-5) When a school nurse or trained personnel administers an undesignated epinephrine injector to a person whom the school nurse or trained personnel in good faith believes is having an anaphylactic reaction, administers an opioid antagonist to a person whom the school nurse or trained personnel in good faith believes is having an opioid overdose, or administers undesignated asthma medication to a person whom the school nurse or trained personnel in good faith believes is having respiratory distress, notwithstanding the lack of notice to the parents or guardians of the pupil or the absence of the parents or guardians signed statement acknowledging no liability, except for willful and wanton conduct, the school district, public school, charter school, or nonpublic school and its employees and agents, and a physician, a physician assistant, or an advanced practice registered nurse providing standing protocol and a prescription for undesignated epinephrine injectors, an opioid antagonist, or undesignated asthma medication, are to incur no liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the use of an undesignated epinephrine injector, the use of an opioid antagonist, or the use of undesignated asthma medication, regardless of whether authorization was given by the pupil's parents or guardians or by the pupil's physician, physician assistant, or advanced practice registered nurse.

(d) The permission for self-administration and self-carry of asthma medication or the self-administration and self-carry of an epinephrine injector is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of this Section.

(e) Provided that the requirements of this Section are fulfilled, a pupil with asthma may self-administer and self-carry his or her asthma medication or a pupil may self-administer and self-carry an epinephrine injector (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property or while being transported on a school bus.

(e-5) Provided that the requirements of this Section are fulfilled, a school nurse or trained personnel may administer an undesignated epinephrine injector to any person whom the school nurse or trained personnel in good faith believes to be having an anaphylactic reaction (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property or while being transported on a school bus. A school nurse or trained personnel may carry undesignated epinephrine injectors on his or her person while in school or at a school-sponsored activity.

(e-10) Provided that the requirements of this Section are fulfilled, a school nurse or trained personnel may administer an opioid antagonist to any person whom the school nurse or trained personnel in good faith

believes to be having an opioid overdose (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, such as while in before-school or after-school care on school-operated property. A school nurse or trained personnel may carry an opioid antagonist on his or her person while in school or at a school-sponsored activity.

(e-15) If the requirements of this Section are met, a school nurse or trained personnel may administer undesignated asthma medication to any person whom the school nurse or trained personnel in good faith believes to be experiencing respiratory distress (i) while in school, (ii) while at a school-sponsored activity, (iii) while under the supervision of school personnel, or (iv) before or after normal school activities, including before-school or after-school care on school-operated property. A school nurse or trained personnel may carry undesignated asthma medication on his or her person while in school or at a school-sponsored activity.

(f) The school district, public school, charter school, or nonpublic school may maintain a supply of undesignated epinephrine injectors in any secure location that is accessible before, during, and after school where an allergic person is most at risk, including, but not limited to, classrooms and lunchrooms. A physician, a physician assistant who has prescriptive authority in accordance with Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice registered nurse who has prescriptive authority in accordance with Section 65-40 of the Nurse Practice Act may prescribe undesignated epinephrine injectors in the name of the school district, public school, charter school, or nonpublic school to be maintained for use when necessary. Any supply of epinephrine injectors shall be maintained in accordance with the manufacturer's instructions.

The school district, public school, charter school, or nonpublic school may maintain a supply of an opioid antagonist in any secure location where an individual may have an opioid overdose. A health care professional who has been delegated prescriptive authority for opioid antagonists in accordance with Section 5-23 of the Substance Use Disorder Act may prescribe opioid antagonists in the name of the school district, public school, charter school, or nonpublic school, to be maintained for use when necessary. Any supply of opioid antagonists shall be maintained in accordance with the manufacturer's instructions.

The school district, public school, charter school, or nonpublic school may maintain a supply of asthma medication in any secure location that is accessible before, during, or after school where a person is most at risk, including, but not limited to, a classroom or the nurse's office. A physician, a physician assistant who has prescriptive authority under Section 7.5 of the Physician Assistant Practice Act of 1987, or an advanced practice registered nurse who has prescriptive authority under Section 65-40 of the Nurse Practice Act may prescribe undesignated asthma medication in the name of the school district, public school, charter school, or nonpublic school to be maintained for use when necessary. Any supply of undesignated asthma medication must be maintained in accordance with the manufacturer's instructions.

(f-3) Whichever entity initiates the process of obtaining undesignated epinephrine injectors and providing training to personnel for carrying and administering undesignated epinephrine injectors shall pay for the costs of the undesignated epinephrine injectors.

(f-5) Upon any administration of an epinephrine injector, a school district, public school, charter school, or nonpublic school must immediately activate the EMS system and notify the student's parent, guardian, or emergency contact, if known.

Upon any administration of an opioid antagonist, a school district, public school, charter school, or nonpublic school must immediately activate the EMS system and notify the student's parent, guardian, or emergency contact, if known.

(f-10) Within 24 hours of the administration of an undesignated epinephrine injector, a school district, public school, charter school, or nonpublic school must notify the physician, physician assistant, or advanced practice registered nurse who provided the standing protocol and a prescription for the undesignated epinephrine injector of its use.

Within 24 hours after the administration of an opioid antagonist, a school district, public school, charter school, or nonpublic school must notify the health care professional who provided the prescription for the opioid antagonist of its use.

Within 24 hours after the administration of undesignated asthma medication, a school district, public school, charter school, or nonpublic school must notify the student's parent or guardian or emergency contact, if known, and the physician, physician assistant, or advanced practice registered nurse who provided the standing protocol and a prescription for the undesignated asthma medication of its use. The district or school must follow up with the school nurse, if available, and may, with the consent of the child's

parent or guardian, notify the child's health care provider of record, as determined under this Section, of its use.

(g) Prior to the administration of an undesignated epinephrine injector, trained personnel must submit to the school's administration proof of completion of a training curriculum to recognize and respond to anaphylaxis that meets the requirements of subsection (h) of this Section. Training must be completed annually. The school district, public school, charter school, or nonpublic school must maintain records related to the training curriculum and trained personnel.

Prior to the administration of an opioid antagonist, trained personnel must submit to the school's administration proof of completion of a training curriculum to recognize and respond to an opioid overdose, which curriculum must meet the requirements of subsection (h-5) of this Section. ~~Training must be completed annually. Trained personnel must also submit to the school's administration proof of cardiopulmonary resuscitation and automated external defibrillator certification.~~ The school district, public school, charter school, or nonpublic school must maintain records relating to the training curriculum and the trained personnel.

Prior to the administration of undesignated asthma medication, trained personnel must submit to the school's administration proof of completion of a training curriculum to recognize and respond to respiratory distress, which must meet the requirements of subsection (h-10) of this Section. Training must be completed annually, and the school district, public school, charter school, or nonpublic school must maintain records relating to the training curriculum and the trained personnel.

(h) A training curriculum to recognize and respond to anaphylaxis, including the administration of an undesignated epinephrine injector, may be conducted online or in person.

Training shall include, but is not limited to:

(1) how to recognize signs and symptoms of an allergic reaction, including anaphylaxis;

(2) how to administer an epinephrine injector; and

(3) a test demonstrating competency of the knowledge required to recognize anaphylaxis and administer an epinephrine injector.

Training may also include, but is not limited to:

(A) a review of high-risk areas within a school and its related facilities;

(B) steps to take to prevent exposure to allergens;

(C) emergency follow-up procedures, including the importance of calling 9-1-1 or, if 9-1-1 is not available, other local emergency medical services;

(D) how to respond to a student with a known allergy, as well as a student with a previously unknown allergy;

(E) other criteria as determined in rules adopted pursuant to this Section; and

(F) any policy developed by the State Board of Education under Section 2-3.190.

In consultation with statewide professional organizations representing physicians licensed to practice medicine in all of its branches, registered nurses, and school nurses, the State Board of Education shall make available resource materials consistent with criteria in this subsection (h) for educating trained personnel to recognize and respond to anaphylaxis. The State Board may take into consideration the curriculum on this subject developed by other states, as well as any other curricular materials suggested by medical experts and other groups that work on life-threatening allergy issues. The State Board is not required to create new resource materials. The State Board shall make these resource materials available on its Internet website.

(h-5) A training curriculum to recognize and respond to an opioid overdose, including the administration of an opioid antagonist, may be conducted online or in person. The training must comply with any training requirements under Section 5-23 of the Substance Use Disorder Act and the corresponding rules. It must include, but is not limited to:

(1) how to recognize symptoms of an opioid overdose;

(2) information on drug overdose prevention and recognition;

(3) how to perform rescue breathing and resuscitation;

(4) how to respond to an emergency involving an opioid overdose;

(5) opioid antagonist dosage and administration;

(6) the importance of calling 9-1-1 or, if 9-1-1 is not available, other local emergency medical services;

(7) care for the overdose victim after administration of the overdose antagonist;

(8) a test demonstrating competency of the knowledge required to recognize an opioid overdose and administer a dose of an opioid antagonist; and

(9) other criteria as determined in rules adopted pursuant to this Section.

(h-10) A training curriculum to recognize and respond to respiratory distress, including the administration of undesignated asthma medication, may be conducted online or in person. The training must include, but is not limited to:

(1) how to recognize symptoms of respiratory distress and how to distinguish respiratory distress from anaphylaxis;

(2) how to respond to an emergency involving respiratory distress;

(3) asthma medication dosage and administration;

(4) the importance of calling 9-1-1 or, if 9-1-1 is not available, other local emergency medical services;

(5) a test demonstrating competency of the knowledge required to recognize respiratory distress and administer asthma medication; and

(6) other criteria as determined in rules adopted under this Section.

(i) Within 3 days after the administration of an undesignated epinephrine injector by a school nurse, trained personnel, or a student at a school or school-sponsored activity, the school must report to the State Board of Education in a form and manner prescribed by the State Board the following information:

(1) age and type of person receiving epinephrine (student, staff, visitor);

(2) any previously known diagnosis of a severe allergy;

(3) trigger that precipitated allergic episode;

(4) location where symptoms developed;

(5) number of doses administered;

(6) type of person administering epinephrine (school nurse, trained personnel, student); and

(7) any other information required by the State Board.

If a school district, public school, charter school, or nonpublic school maintains or has an independent contractor providing transportation to students who maintains a supply of undesignated epinephrine injectors, then the school district, public school, charter school, or nonpublic school must report that information to the State Board of Education upon adoption or change of the policy of the school district, public school, charter school, nonpublic school, or independent contractor, in a manner as prescribed by the State Board. The report must include the number of undesignated epinephrine injectors in supply.

(i-5) Within 3 days after the administration of an opioid antagonist by a school nurse or trained personnel, the school must report to the State Board of Education, in a form and manner prescribed by the State Board, the following information:

(1) the age and type of person receiving the opioid antagonist (student, staff, or visitor);

(2) the location where symptoms developed;

(3) the type of person administering the opioid antagonist (school nurse or trained personnel); and

(4) any other information required by the State Board.

(i-10) Within 3 days after the administration of undesignated asthma medication by a school nurse, trained personnel, or a student at a school or school-sponsored activity, the school must report to the State Board of Education, on a form and in a manner prescribed by the State Board of Education, the following information:

(1) the age and type of person receiving the asthma medication (student, staff, or visitor);

(2) any previously known diagnosis of asthma for the person;

(3) the trigger that precipitated respiratory distress, if identifiable;

(4) the location of where the symptoms developed;

(5) the number of doses administered;

(6) the type of person administering the asthma medication (school nurse, trained personnel, or student);

(7) the outcome of the asthma medication administration; and

(8) any other information required by the State Board.

(j) By October 1, 2015 and every year thereafter, the State Board of Education shall submit a report to the General Assembly identifying the frequency and circumstances of undesignated epinephrine and undesignated asthma medication administration during the preceding academic year. Beginning with the 2017 report, the report shall also contain information on which school districts, public schools, charter schools, and nonpublic schools maintain or have independent contractors providing transportation to

students who maintain a supply of undesignated epinephrine injectors. This report shall be published on the State Board's Internet website on the date the report is delivered to the General Assembly.

(j-5) Annually, each school district, public school, charter school, or nonpublic school shall request an asthma action plan from the parents or guardians of a pupil with asthma. If provided, the asthma action plan must be kept on file in the office of the school nurse or, in the absence of a school nurse, the school administrator. Copies of the asthma action plan may be distributed to appropriate school staff who interact with the pupil on a regular basis, and, if applicable, may be attached to the pupil's federal Section 504 plan or individualized education program plan.

(j-10) To assist schools with emergency response procedures for asthma, the State Board of Education, in consultation with statewide professional organizations with expertise in asthma management and a statewide organization representing school administrators, shall develop a model asthma episode emergency response protocol before September 1, 2016. Each school district, charter school, and nonpublic school shall adopt an asthma episode emergency response protocol before January 1, 2017 that includes all of the components of the State Board's model protocol.

(j-15) (Blank). ~~Every 2 years, school personnel who work with pupils shall complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting. In consultation with statewide professional organizations with expertise in asthma management, the State Board of Education shall make available resource materials for educating school personnel about asthma and emergency response in the school setting.~~

(j-20) On or before October 1, 2016 and every year thereafter, the State Board of Education shall submit a report to the General Assembly and the Department of Public Health identifying the frequency and circumstances of opioid antagonist administration during the preceding academic year. This report shall be published on the State Board's Internet website on the date the report is delivered to the General Assembly.

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

(l) Nothing in this Section shall limit the amount of epinephrine injectors that any type of school or student may carry or maintain a supply of.

(Source: P.A. 101-81, eff. 7-12-19; 102-413, eff. 8-20-21; 102-813, eff. 5-13-22.)

(105 ILCS 5/27-23.6)

Sec. 27-23.6. Anti-bias education.

(a) The General Assembly finds that there is a significant increase in violence in the schools and that much of that violence is the result of intergroup tensions. The General Assembly further finds that anti-bias education and intergroup conflict resolution are effective methods for preventing violence and lessening tensions in the schools and that these methods are most effective when they are respectful of individuals and their divergent viewpoints and religious beliefs, which are protected by the First Amendment to the Constitution of the United States.

(b) Beginning with the 2002-2003 school year, public elementary and secondary schools may incorporate activities to address intergroup conflict, with the objectives of improving intergroup relations on and beyond the school campus, defusing intergroup tensions, and promoting peaceful resolution of conflict. The activities must be respectful of individuals and their divergent viewpoints and religious beliefs, which are protected by the First Amendment to the Constitution of the United States. ~~Such activities may include, but not be limited to, instruction and teacher training programs.~~

(c) A school board that adopts a policy to incorporate activities to address intergroup conflict as authorized under subsection (b) of this Section shall make information available to the public that describes the manner in which the board has implemented the authority granted to it in this Section. The means for disseminating this information (i) shall include posting the information on the school district's Internet web site, if any, and making the information available, upon request, in district offices, and (ii) may include without limitation incorporating the information in a student handbook and including the information in a district newsletter.

(Source: P.A. 92-763, eff. 8-6-02.)

(105 ILCS 5/27-23.10)

Sec. 27-23.10. Gang resistance education and training.

(a) The General Assembly finds that the instance of youth delinquent gangs continues to rise on a statewide basis. Given the higher rates of criminal offending among gang members, as well as the availability of increasingly lethal weapons, the level of criminal activity by gang members has taken on new importance for law enforcement agencies, schools, the community, and prevention efforts.

(b) As used in this Section:

"Gang resistance education and training" means and includes instruction in, without limitation, each of the following subject matters when accompanied by a stated objective of reducing gang activity and educating children in grades K through 12 about the consequences of gang involvement:

(1) conflict resolution;

(2) cultural sensitivity;

(3) personal goal setting; and

(4) resisting peer pressure.

(c) Each school district and non-public, non-sectarian elementary or secondary school in this State may make suitable provisions for instruction in gang resistance education ~~and training~~ in all grades and include that instruction in the courses of study regularly taught in those grades. For the purposes of gang resistance education ~~and training~~, a school board or the governing body of a non-public, non-sectarian elementary or secondary school must collaborate with State and local law enforcement agencies. The State Board of Education may assist in the development of instructional materials and teacher training in relation to gang resistance education and training.

(Source: P.A. 96-952, eff. 6-28-10.)

(105 ILCS 5/34-18.25)

Sec. 34-18.25. Psychotropic or psychostimulant medication; disciplinary action.

(a) In this Section:

"Psychostimulant medication" means medication that produces increased levels of mental and physical energy and alertness and an elevated mood by stimulating the central nervous system.

"Psychotropic medication" means psychotropic medication as defined in Section 1-121.1 of the Mental Health and Developmental Disabilities Code.

(b) The board must adopt and implement a policy that prohibits any disciplinary action that is based totally or in part on the refusal of a student's parent or guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

~~The policy must require that, at least once every 2 years, the in-service training of certified school personnel and administrators include training on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.~~

(c) This Section does not prohibit school medical staff, an individualized educational program team, or a qualified ~~professional~~ worker (as defined in Section 14-1.10 of this Code) from recommending that a student be evaluated by an appropriate medical practitioner or prohibit school personnel from consulting with the practitioner with the consent of the student's parents or guardian.

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/34-18.54)

Sec. 34-18.54. Implicit bias training.

(a) The General Assembly makes the following findings:

(1) implicit racial bias influences evaluations of and behavior toward those who are the subject of the bias;

(2) understanding implicit racial bias is needed in order to reduce that bias;

(3) marginalized students would benefit from having access to educators who have worked to reduce their biases; and

(4) training that helps educators overcome implicit racial bias has implication for classroom interactions, student evaluation, and classroom engagement; it also affects student academic self-concept.

(b) The board shall require in-service training for teachers, administrators, and school support personnel to include training to develop cultural competency, including understanding and reducing implicit racial bias as outlined in Sections 10-22.39 and 3-11.

(c) As used in this Section, "implicit racial bias" means a preference, positive or negative, for a racial or ethnic group that operates outside of awareness. This bias has 3 different components: affective, behavioral, and cognitive.

(Source: P.A. 100-14, eff. 7-1-17; 100-863, eff. 8-14-18.)

(105 ILCS 5/34-18.7 rep.)

(105 ILCS 5/34-18.8 rep.)

Section 10. The School Code is amended by repealing Sections 34-18.7 and 34-18.8.

Section 15. The Critical Health Problems and Comprehensive Health Education Act is amended by changing Section 3.10 as follows:

(105 ILCS 110/3.10)

Sec. 3.10. Policy on teen dating violence.

(a) As used in this Section:

"Dating" or "dating relationship" means an ongoing social relationship of a romantic or intimate nature between 2 persons. "Dating" or "dating relationship" does not include a casual relationship or ordinary fraternization between 2 persons in a business or social context.

"Teen dating violence" means either of the following:

(1) A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(2) Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

(b) The school board of each public school district in this State shall adopt a policy that does all of the following:

(1) States that teen dating violence is unacceptable and is prohibited and that each student has the right to a safe learning environment.

(2) Incorporates age-appropriate education about teen dating violence into new or existing training programs for students in grades 7 through 12 and school employees as outlined in Sections 10-22.39 and 3-11 of the School Code~~, as recommended by the school officials identified under subdivision (4) of this subsection (b)~~.

(3) Establishes procedures for the manner in which employees of a school are to respond to incidents of teen dating violence that take place at the school, on school grounds, at school-sponsored activities, or in vehicles used for school-provided transportation.

(4) Identifies by job title the school officials who are responsible for receiving reports related to teen dating violence.

(5) Notifies students and parents of the teen dating violence policy adopted by the board.

(Source: P.A. 98-190, eff. 8-6-13.)

Section 20. The Care of Students with Diabetes Act is amended by changing Section 25 as follows:

(105 ILCS 145/25)

Sec. 25. Training for school employees and delegated care aides.

(a) Teachers, administrators, and school support personnel ~~In schools that have a student with diabetes, all school employees~~ shall receive training in the basics of diabetes care, how to identify when a student with diabetes needs immediate or emergency medical attention, and whom to contact in the case of an emergency as outlined in Sections 10-22.39 and 3-11 ~~during regular inservice training under Section 3-11~~ of the School Code.

(b) Delegated care aides shall be trained to perform the tasks necessary to assist a student with diabetes in accordance with his or her diabetes care plan, including training to do the following:

(1) check blood glucose and record results;

(2) recognize and respond to the symptoms of hypoglycemia according to the diabetes care plan;

(3) recognize and respond to the symptoms of hyperglycemia according to the diabetes care plan;

(4) estimate the number of carbohydrates in a snack or lunch;

(5) administer insulin according to the student's diabetes care plan and keep a record of the amount administered; and

(6) respond in an emergency, including administering glucagon and calling 911.

(c) The school district shall coordinate ~~staff~~ training for delegated care aides, teachers, administrators, and school support personnel.

(d) Initial training of a delegated care aide shall be provided by a licensed healthcare provider with expertise in diabetes or a certified diabetic educator and individualized by a student's parent or guardian. Training must be consistent with the guidelines provided by the U.S. Department of Health and Human

Services in the guide for school personnel entitled "Helping the Student with Diabetes Succeed". The training shall be updated when the diabetes care plan is changed and at least annually.

(e) School nurses, where available, or health care providers may provide technical assistance or consultation or both to delegated care aides.

(f) An information sheet shall be provided to any school employee who transports a student for school-sponsored activities. It shall identify the student with diabetes, identify potential emergencies that may occur as a result of the student's diabetes and the appropriate responses to such emergencies, and provide emergency contact information.
(Source: P.A. 101-428, eff. 8-19-19.)

Section 25. The Seizure Smart School Act is amended by changing Section 25 as follows:
(105 ILCS 150/25)

Sec. 25. Training for school employees and delegated care aides.

(a) Teachers, administrators, and school support personnel ~~During an inservice training workshop under Section 3-11 of the School Code, all school employees~~ shall receive training in the basics of seizure recognition and first aid and appropriate emergency protocols as outlined in Sections 10-22.39 and 3-11 in the School Code. The training must be fully consistent with the best practice guidelines issued by the Centers for Disease Control and Prevention.

(b) In a school in which at least one student with epilepsy is enrolled, a delegated care aide must be trained to perform the tasks necessary to assist the student in accordance with his or her seizure action plan.

(c) The training of a delegated care aide must be provided by a licensed health care provider with an expertise in epilepsy or an epilepsy educator who has successfully completed the relevant curricula offered by the Centers for Disease Control and Prevention.

(d) If applicable, a seizure action plan must be provided to any school employee who transports a student with epilepsy to a school-sponsored activity.
(Source: P.A. 101-50, eff. 7-1-20.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3690

AMENDMENT NO. 2 . Amend House Bill 3690, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, line 18, by replacing "shall" with "may ~~shall~~".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villivalam, **House Bill No. 3690** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lewis	Simmons
Aquino	Fowler	Lightford	Sims
Belt	Gillespie	Loughran Cappel	Stadelman
Bennett	Glowiak Hilton	Martwick	Stoller

Bryant	Halpin	McClure	Syverson
Castro	Harris, N.	McConchie	Turner, D.
Cervantes	Harriss, E.	Morrison	Turner, S.
Cunningham	Hastings	Murphy	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Plummer	Villanueva
Edly-Allen	Johnson	Porfirio	Villivalam
Ellman	Jones, E.	Preston	Wilcox
Faraci	Joyce	Rezin	Mr. President
Feigenholtz	Koehler	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 in the Senate Amendments adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Peters, **House Bill No. 2862** was recalled from the order of third reading to the order of second reading.

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2862

AMENDMENT NO. 2 . Amend House Bill 2862, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 10, lines 2 and 18, by replacing "60" wherever it appears with "90".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Peters, **House Bill No. 2862** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 49; NAYS 3.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney
Plummer
Tracy

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

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

On motion of Senator Villivalam, **House Bill No. 3017** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	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	Harriss, E.	Morrison	Turner, D.
Chesney	Hastings	Murphy	Turner, S.
Cunningham	Holmes	Peters	Ventura
Curran	Hunter	Plummer	Villa
DeWitte	Johnson	Porfirio	Villanueva
Edly-Allen	Jones, E.	Preston	Villivalam
Ellman	Joyce	Rezin	Mr. President
Faraci	Koehler	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 in the Senate Amendment adopted thereto.

On motion of Senator Villanueva, **House Bill No. 2898** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAY 1.

The following voted in the affirmative:

Anderson	Fine	Lewis	Sims
Aquino	Fowler	Lightford	Stadelman
Belt	Gillespie	Loughran Cappel	Stoller
Bennett	Glowiak Hilton	Martwick	Syverson
Bryant	Halpin	McClure	Tracy

Castro	Harris, N.	McConchie	Turner, D.
Cervantes	Harriss, E.	Morrison	Turner, S.
Cunningham	Hastings	Murphy	Ventura
Curran	Holmes	Peters	Villa
DeWitte	Hunter	Porfirio	Villanueva
Edly-Allen	Johnson	Preston	Villivalam
Ellman	Jones, E.	Rezin	Wilcox
Faraci	Joyce	Rose	Mr. President
Feigenholtz	Koehler	Simmons	

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.

On motion of Senator Villa, **House Bill No. 2365** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 33; NAYS 19.

The following voted in the affirmative:

Aquino	Fine	Koehler	Turner, D.
Belt	Gillespie	Lightford	Ventura
Castro	Halpin	Martwick	Villa
Cervantes	Harris, N.	Murphy	Villanueva
Cunningham	Hastings	Peters	Villivalam
Edly-Allen	Hunter	Porfirio	Mr. President
Ellman	Johnson	Preston	
Faraci	Jones, E.	Simmons	
Feigenholtz	Joyce	Sims	

The following voted in the negative:

Anderson	DeWitte	McClure	Syverson
Bennett	Fowler	McConchie	Tracy
Bryant	Glowiak Hilton	Plummer	Turner, S.
Chesney	Harriss, E.	Rose	Wilcox
Curran	Lewis	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 in the Senate Amendment adopted thereto.

Senator Rezin asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **House Bill No. 2365**.

On motion of Senator Koehler, **House Bill No. 3957** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

Bryant
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 in the Senate Amendment adopted thereto.

Senator Rezin asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 3957**.

At the hour of 1:32 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 5:51 o'clock p.m., the Senate resumed consideration of business.
Senator Hunter, presiding.

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 2 to Senate Bill 1235
Motion to Concur in House Amendment No. 1 to Senate Bill 1629

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 308

Offered by Senator McClure and all Senators:

Mourns the death of Joan M. McCrady of Springfield.

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

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 307

Offered by Senator Halpin:
Congratulates Whitey's Ice Cream on its 90th anniversary.

Under the Rules, the foregoing resolution was referred to the Committee on Assignments.

REPORTS FROM STANDING COMMITTEES

Senator Glowiak Hilton, Chair of the Committee on Licensed Activities, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 1250; Motion to Concur in House Amendment No. 4 to Senate Bill 1250; Motion to Concur in House Amendment No. 1 to Senate Bill 1716; Motion to Concur in House Amendment No. 1 to Senate Bill 2059

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Castro, Chair of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 183; Motion to Concur in House Amendment No. 1 to Senate Bill 380; Motion to Concur in House Amendment No. 1 to Senate Bill 761; Motion to Concur in House Amendment No. 2 to Senate Bill 1670; Motion to Concur in House Amendment No. 2 to Senate Bill 1782; Motion to Concur in House Amendment No. 3 to Senate Bill 1782; Motion to Concur in House Amendment No. 2 to Senate Bill 1875; Motion to Concur in House Amendment No. 1 to Senate Bill 1886; Motion to Concur in House Amendment No. 1 to Senate Bill 1999; Motion to Concur in House Amendment No. 2 to Senate Bill 2017; Motion to Concur in House Amendment No. 1 to Senate Bill 2034; Motion to Concur in House Amendment No. 1 to Senate Bill 2192; Motion to Concur in House Amendment No. 1 to Senate Bill 2227; Motion to Concur in House Amendment No. 1 to Senate Bill 2228

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 218, 219, 297, 351, 1595, 2447, 2509, 2518 and 2847**, reported the same back with the recommendation that the bills do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 1286, 1497, 3326 and 3643**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Joint Resolution No. 20**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 20** was placed on the Secretary’s Desk.

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

Senate Amendment No. 5 to House Bill 1342
Senate Amendment No. 3 to House Bill 2450
Senate Amendment No. 1 to House Bill 2826

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

Senator Joyce, Chair of the Committee on State Government, to which was referred **Senate Resolutions Numbered 193 and 278**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions Numbered 193 and 278** were placed on the Secretary's Desk.

Senator Joyce, Chair of the Committee on State Government, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 4 to Senate Bill 724; Motion to Concur in House Amendment No. 5 to Senate Bill 724; Motion to Concur in House Amendment No. 1 to Senate Bill 836

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Joyce, Chair of the Committee on State Government, to which was referred **House Bill No. 2829**, reported the same back with the recommendation that the bill do pass.

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

Senator Joyce, Chair of the Committee on State Government, to which was referred **House Joint Resolutions Numbered 6 and 13**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **House Joint Resolutions Numbered 6 and 13** were placed on the Secretary's Desk.

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

Senate Amendment No. 1 to House Bill 3856

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

Senator Sims, Chair of the Special Committee on Criminal Law and Public Safety, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 1 to Senate Bill 1499; Motion to Concur in House Amendment No. 1 to Senate Bill 2197; Motion to Concur in House Amendment No. 1 to Senate Bill 2260

Under the rules, the foregoing motions are eligible for consideration by the Senate.

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 58

A bill for AN ACT concerning safety.

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

House Amendment No. 1 to SENATE BILL NO. 58

House Amendment No. 2 to SENATE BILL NO. 58

House Amendment No. 3 to SENATE BILL NO. 58

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 58

AMENDMENT NO. 1 . Amend Senate Bill 58 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the State Entities Single-Use Plastic Reporting Act.

Section 5. Definitions. As used in this Act:

"Single-use plastic disposable foodware" means containers, bowls, straws, plates, trays, cartons, cups, lids, forks, spoons, knives, and other items that are designed for one-time use for beverages, prepared food, or leftovers from meals and that are made of plastic, are not compostable, and are not accepted in residential curbside recycling pick up.

"State agency" means any department, commission, council, board, bureau, committee, institution, agency, university, government corporation, authority, or other establishment or official of this State. "State agency" includes any establishment or official of the State that directly or indirectly oversees the State's purchase of any product for use in the State.

Section 10. State agencies tracking single-use plastic disposable foodware.

(a) Beginning July 1, 2024, each State agency shall:

(1) track its own purchases of single-use plastic disposable foodware that are less than $2,000 or otherwise not reduced to writing; and

(2) establish goals on reducing single-use plastic disposable foodware purchases based on the tracked purchases.

(b) Each State agency shall submit a report of its findings regarding the matters in subsection (a) to the Governor and the General Assembly on or before October 1, 2025.

Section 90. Repealer. This Act is repealed on October 1, 2026.

Section 900. The Department of Employment Security Law of the Civil Administrative Code of Illinois is amended by adding Section 1005-170 as follows:

(20 ILCS 1005/1005-170 new)

Sec. 1005-170. Polystyrene job study.

(a) The Department shall conduct a study on the potential impact on the State's workforce of legislation prohibiting the sale and distribution of disposable food service containers composed in whole or in part of polystyrene foam. The Department shall include in the study, at minimum:

(1) data related to employment in the State of individuals who are engaged in the manufacture of polystyrene foam;

(2) data concerning potential worker displacement that would result from prohibiting the sale or distribution in the State of disposable food service containers composed in whole or in part of polystyrene foam;

(3) data concerning the potential for the transitioning of jobs related to the manufacture of polystyrene foam products to similar or other jobs; and

(4) recommendations for worker protections and the minimization of job losses arising from the prohibition on the sale or distribution in the State of disposable food service containers composed in whole or in part of polystyrene foam.

(b) The Department shall submit the findings of the study in a report to the General Assembly and the Governor no later than December 1, 2023.

(c) This Section is repealed on July 1, 2025.

Section 905. The Illinois Procurement Code is amended by adding Section 45-24 as follows:

(30 ILCS 500/45-24 new)

Sec. 45-24. Single-use plastics prohibition; preference.

(a) As used in this Section:

"Compostable" means that the item meets the ASTM D6400 standard of compostability and has been certified by the Biodegradable Products Institute as compostable.

"Compostable foodware" means containers, bowls, straws, plates, trays, cartons, cups, lids, forks, spoons, knives, and other items that are designed for one-time use for beverages, prepared food, or leftovers from meals that are compostable.

"Disposable food service container" means serviceware designed for one-time use. "Disposable food service container" includes, but is not limited to, serviceware for take-out foods, bakery products, and leftovers from partially consumed meals. "Disposable food service container" does not include polystyrene foam coolers, egg carton containers, ice chests that are used for the processing or shipping of seafood or service ware that is used to contain, transport, or otherwise package raw, uncooked, or butchered meat, poultry, fish, or seafood.

"Polystyrene foam" means blown polystyrene and expanded or extruded foams using a styrene monomer.

"Recyclable foodware" means items that are designed for one-time use for beverages, prepared food, or leftovers from meals and that are commonly accepted in local curbside residential recycling pick up.

"Serviceware" means a container, bowl, plate, tray, carton, cup, lid, or other item designed to contain, transport, serve, or aid in the consumption of food or beverages.

"State agency" has the meaning given to that term in Section 1-15.100 of this Code.

(b) After January 1, 2025, State agencies and departments may not procure disposable food service containers that are composed in whole or in part from polystyrene foam for use at any State agency or department and instead shall offer only compostable foodware or recyclable foodware for use at the State agency or department.

(c) After January 1, 2026, or at the renewal of its next contract, whichever occurs later, no vendor contracted through a State agency or department may provide customers with disposable food service containers that are composed in whole or in part from polystyrene foam and instead shall offer only compostable foodware or recyclable foodware.

Section 999. Effective date. This Act takes effect upon becoming law.".

AMENDMENT NO. 2 TO SENATE BILL 58

AMENDMENT NO. 2 . Amend Senate Bill 58, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 5, by replacing lines 16 through 21 with the following:

"(c) After January 1, 2026, or at the renewal of its next contract, whichever occurs later, no vendor contracted through a State agency or department may provide customers with disposable food service containers that are composed in whole or in part from polystyrene foam at any site owned or leased by the State, and instead shall offer only compostable foodware or recyclable foodware for use at sites owned or leased by the State.".

AMENDMENT NO. 3 TO SENATE BILL 58

AMENDMENT NO. 3 . Amend Senate Bill 58, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, by deleting everything from line 19 on page 2 through line 25 on page 3.

Under the rules, the foregoing **Senate Bill No. 58**, with House Amendments numbered 1, 2 and 3, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 684

A bill for AN ACT concerning local government.

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

House Amendment No. 3 to SENATE BILL NO. 684

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 3 TO SENATE BILL 684

AMENDMENT NO. 3 . 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 board chairman of McLean County, 2 of whom shall reside in rural municipalities with a population less than 5,000 and one of whom shall reside in an unincorporated area 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 commissioner 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 Town 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.".

Under the rules, the foregoing **Senate Bill No. 684**, with House Amendment No. 3, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1235

A bill for AN ACT concerning public employee benefits.

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

House Amendment No. 2 to SENATE BILL NO. 1235

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1235

AMENDMENT NO. 2 . Amend Senate Bill 1235 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Sections 15-112, 15-134.1, and 15-198 as follows:

(40 ILCS 5/15-112) (from Ch. 108 1/2, par. 15-112)

Sec. 15-112. Final rate of earnings. "Final rate of earnings":

(a) This subsection (a) applies only to a Tier 1 member.

For an employee who is paid on an hourly basis or who receives an annual salary in installments during 12 months of each academic year, the average annual earnings during the 48 consecutive calendar month period ending with the last day of final termination of employment or the 4 consecutive academic years of service in which the employee's earnings were the highest, whichever is greater. For any other employee, the average annual earnings during the 4 consecutive academic years of service in which his or her earnings were the highest. For an employee with less than 48 months or 4 consecutive academic years of service, the average earnings during his or her entire period of service. The earnings of an employee with more than 36 months of service under item (a) of Section 15-113.1 prior to the date of becoming a participant are, for such period, considered equal to the average earnings during the last 36 months of such service.

(b) This subsection (b) applies to a Tier 2 member.

For an employee who is paid on an hourly basis or who receives an annual salary in installments during 12 months of each academic year, the average annual earnings obtained by dividing by 8 the total earnings of the employee during the 96 consecutive months in which the total earnings were the highest within the last 120 months prior to termination.

For any other employee, the average annual earnings during the 8 consecutive academic years within the 10 years prior to termination in which the employee's earnings were the highest. For an employee with less than 96 consecutive months or 8 consecutive academic years of service, whichever is necessary, the average earnings during his or her entire period of service.

(c) For an employee on leave of absence with pay, or on leave of absence without pay who makes contributions during such leave, earnings are assumed to be equal to the basic compensation on the date the leave began.

(d) For an employee on disability leave, earnings are assumed to be equal to the basic compensation on the date disability occurs or the average earnings during the 24 months immediately preceding the month in which disability occurs, whichever is greater.

(e) For a Tier 1 member who retires on or after the effective date of this amendatory Act of 1997 with at least 20 years of service as a firefighter or police officer under this Article, the final rate of earnings shall be the annual rate of earnings received by the participant on his or her last day as a firefighter or police officer under this Article, if that is greater than the final rate of earnings as calculated under the other provisions of this Section.

(f) If a Tier 1 member is an employee for at least 6 months during the academic year in which his or her employment is terminated, the annual final rate of earnings shall be 25% of the sum of (1) the annual basic compensation for that year, and (2) the amount earned during the 36 months immediately preceding that year, if this is greater than the final rate of earnings as calculated under the other provisions of this Section.

(g) In the determination of the final rate of earnings for an employee, that part of an employee's earnings for any academic year beginning after June 30, 1997, which exceeds the employee's earnings with that employer for the preceding year by more than 20 percent shall be excluded; in the event that an employee has more than one employer this limitation shall be calculated separately for the earnings with each employer. In making such calculation, only the basic compensation of employees shall be considered, without regard to vacation or overtime or to contracts for summer employment. Beginning September 1,

2024, this subsection (g) also applies to an employee who has been employed at 1/2 time or less for 3 or more years.

(h) The following are not considered as earnings in determining final rate of earnings: (1) severance or separation pay, (2) retirement pay, (3) payment for unused sick leave, and (4) payments from an employer for the period used in determining final rate of earnings for any purpose other than (i) services rendered, (ii) leave of absence or vacation granted during that period, and (iii) vacation of up to 56 work days allowed upon termination of employment; except that, if the benefit has been collectively bargained between the employer and the recognized collective bargaining agent pursuant to the Illinois Educational Labor Relations Act, payment received during a period of up to 2 academic years for unused sick leave may be considered as earnings in accordance with the applicable collective bargaining agreement, subject to the 20% increase limitation of this Section. Any unused sick leave considered as earnings under this Section shall not be taken into account in calculating service credit under Section 15-113.4.

(i) Intermittent periods of service shall be considered as consecutive in determining final rate of earnings.

(Source: P.A. 98-92, eff. 7-16-13; 99-450, eff. 8-24-15.)

(40 ILCS 5/15-134.1) (from Ch. 108 1/2, par. 15-134.1)

Sec. 15-134.1. Service calculation and adjustment.

(a) For the purposes of computing service for academic years for any participant, ~~In computing service,~~ the following schedule shall govern: one month of service means a calendar month during which a participant (i) qualifies as an employee under Section 15-107 for at least 15 or more days, and (ii) receives any earnings as an employee; 8 or more months of service during an academic year shall constitute a year of service; 6 or more but less than 8 months of service during an academic year shall constitute 3/4 of a year of service; 3 or more but less than 6 months of service during an academic year shall constitute 1/2 of a year of service; and one or more but less than 3 months of service during an academic year shall constitute 1/4 of a year of service. No more than one year of service may be granted per academic year, regardless of the number of hours or percentage of time worked. This subsection (a) does not apply to service periods to which subsection (a-5) applies.

(a-5) For the purposes of computing service for academic years for any participant, the following schedule shall govern: one month of service means a calendar month during which a participant (i) qualifies as an employee under Section 15-107 and contributes to the System, and (ii) receives any earnings as an employee; 8 or more months of service during an academic year shall constitute a year of service; 6 or more but less than 8 months of service during an academic year shall constitute 3/4 of a year of service; 3 or more but less than 6 months of service during an academic year shall constitute 1/2 of a year of service; and one or more but less than 3 months of service during an academic year shall constitute 1/4 of a year of service. No more than one year of service may be granted per academic year, regardless of the number of hours or percentage of time worked.

This subsection (a-5) applies to all service periods of a member who is a participant on or after September 1, 2024; except that such changes shall not apply to service periods that were subject to: (1) a purchase under subsection (i) of Section 15-107, subsection (c) of Section 15-113.1, or Section 15-113.2, 15-113.3, 15-113.5, 15-113.6, 15-113.7, or 15-113.11; (2) a repayment of a refund under subsection (b) of Section 15-154 or a distribution under subsection (j) of Section 15-158.2; or (3) a transfer under Section 15-113.10, 15-134.2, or 15-134.4 if payment for such purchase, repayment, or transfer commenced prior to September 1, 2024.

(b) In calculating a retirement annuity, if a participant has been employed at 1/2 time or less for 3 or more years after September 1, 1959, service shall be granted for such employment in excess of 3 years, in the proportion that the percentage of time employed for each such year of employment bears to the average annual percentage of time employed during the period on which the final rate of earnings is based. This adjustment shall not be made, however, in determining the eligibility for a retirement annuity, disability benefits, additional death benefits, or survivors' insurance. The percentage of time employed shall be as reported by the employer. This subsection (b) shall not apply to a member who is a participant on or after September 1, 2024.

(Source: P.A. 87-8.)

(40 ILCS 5/15-198)

Sec. 15-198. Application and expiration of new benefit increases.

(a) As used in this Section, "new benefit increase" means an increase in the amount of any benefit provided under this Article, or an expansion of the conditions of eligibility for any benefit under this Article,

that results from an amendment to this Code that takes effect after June 1, 2005 (the effective date of Public Act 94-4). "New benefit increase", however, does not include any benefit increase resulting from the changes made to Article 1 or this Article by Public Act 100-23, Public Act 100-587, Public Act 100-769, Public Act 101-10, Public Act 101-610, Public Act 102-16, or this amendatory Act of the 103rd General Assembly ~~or this amendatory Act of the 102nd General Assembly.~~

(b) Notwithstanding any other provision of this Code or any subsequent amendment to this Code, every new benefit increase is subject to this Section and shall be deemed to be granted only in conformance with and contingent upon compliance with the provisions of this Section.

(c) The Public Act enacting a new benefit increase must identify and provide for payment to the System of additional funding at least sufficient to fund the resulting annual increase in cost to the System as it accrues.

Every new benefit increase is contingent upon the General Assembly providing the additional funding required under this subsection. The Commission on Government Forecasting and Accountability shall analyze whether adequate additional funding has been provided for the new benefit increase and shall report its analysis to the Public Pension Division of the Department of Insurance. A new benefit increase created by a Public Act that does not include the additional funding required under this subsection is null and void. If the Public Pension Division determines that the additional funding provided for a new benefit increase under this subsection is or has become inadequate, it may so certify to the Governor and the State Comptroller and, in the absence of corrective action by the General Assembly, the new benefit increase shall expire at the end of the fiscal year in which the certification is made.

(d) Every new benefit increase shall expire 5 years after its effective date or on such earlier date as may be specified in the language enacting the new benefit increase or provided under subsection (c). This does not prevent the General Assembly from extending or re-creating a new benefit increase by law.

(e) Except as otherwise provided in the language creating the new benefit increase, a new benefit increase that expires under this Section continues to apply to persons who applied and qualified for the affected benefit while the new benefit increase was in effect and to the affected beneficiaries and alternate payees of such persons, but does not apply to any other person, including, without limitation, a person who continues in service after the expiration date and did not apply and qualify for the affected benefit while the new benefit increase was in effect.

(Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-610, eff. 1-1-20; 102-16, eff. 6-17-21.)

Section 97. Inseverability. The changes made to existing statutory law by this Act are mutually dependent and inseverable. If any change made to existing statutory law by this Act is held invalid other than as applied to a particular person or circumstance, then all changes made to existing statutory law by this Act are invalid in their entirety.

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

Under the rules, the foregoing **Senate Bill No. 1235**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1352

A bill for AN ACT concerning education.

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

House Amendment No. 1 to SENATE BILL NO. 1352

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1352

AMENDMENT NO. 1 . Amend Senate Bill 1352 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 24-14 as follows:

(105 ILCS 5/24-14) (from Ch. 122, par. 24-14)

Sec. 24-14. Termination of ~~contractual continued~~ service by teacher. As used in this Section, "teaching assignment" means any full-time position that requires licensure under Article 21B of this Code.

A teacher, as defined in Section 24-11 of this Code~~, who has entered into contractual continued service~~ may resign at any time by obtaining concurrence of the board ~~or by serving at least 30 days' written notice upon the secretary of the board~~. During the school term, ~~However,~~ no teacher may resign ~~during the school term~~, without the concurrence of the board, in order to accept another teaching assignment. Outside of a school term, a resignation submitted by any teacher after the completion of the school year must be submitted in writing to the secretary of the board a minimum of 30 calendar days prior to the first student attendance day of the following school year or else the teacher will be deemed to have resigned during the school term. Any teacher terminating said service not in accordance with this Section may be referred by the board to the State Superintendent of Education. A referral to the State Superintendent for an alleged violation of this Section must include (i) a dated copy of the teacher's resignation letter, (ii) a copy of the reporting district's current school year calendar, (iii) proof of employment for the school year at issue, (iv) documentation showing that the district's board did not accept the teacher's resignation, and (v) evidence that the teacher left the district in order to accept another teaching assignment. If the district intends to submit a referral to the State Superintendent, the district shall submit the referral to the State Superintendent within 10 business days after the board denies acceptance of the resignation. The district shall notify the teacher that it submitted the referral to the State Superintendent within 5 business days after submitting the referral to the State Superintendent. The State Superintendent or his or her designee shall convene an informal evidentiary hearing no later than 90 days after receipt of the required documentation from the school district as required in this Section ~~of a resolution by the board~~. The teacher shall receive a written determination from the State Superintendent or his or her designee no later than 14 days after the hearing is completed. If the State Superintendent or his or her designee finds that the teacher resigned during the school term without the concurrence of the board to accept another teaching assignment, the State Superintendent must suspend the teacher's license for one calendar year. In lieu of a hearing and finding, the teacher may agree to a lesser licensure sanction at the discretion of the State Superintendent or his or her designee.

(Source: P.A. 101-531, eff. 8-23-19; 102-552, eff. 1-1-22.)

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

Under the rules, the foregoing **Senate Bill No. 1352**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1555

A bill for AN ACT concerning safety.

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

House Amendment No. 1 to SENATE BILL NO. 1555

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1555

AMENDMENT NO. 1 . Amend Senate Bill 1555 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Statewide Recycling Needs Assessment Act.

Section 5. Findings and purpose. The General Assembly finds that:

(1) Recycling rates have been stagnant in Illinois for over 15 years. Many Illinois counties continue to fall short of the long-standing recycling goal of 25% established in 1988 in the Solid Waste Planning and Recycling Act.

(2) In Illinois, more than 40% (over 7,000,000 tons per year) of municipal solid waste disposed of in landfills is comprised of packaging and paper products. Of this amount, nearly 80% consists of materials commonly collected in curbside recycling programs in areas of the State with mature recycling programs. The remainder includes packaging products such as polystyrene, #3-#7 plastics, plastic bags, flexible pouches, and other plastic films which are not currently acceptable in curbside recycling and for which limited drop-off recycling options exist.

(3) Consumers have limited sustainable purchasing choices. Illinois residents are generating packaging and paper waste that is beyond their ability to reuse or recycle. Consumers are also given confusing, inconsistent messages through various means about which materials can be recycled, and thus inadvertently create contamination in recycling streams. There is widespread recycling fatigue and public skepticism about the efficacy of recycling in Illinois.

(4) Volatility in global recycling markets due to import restrictions such as the China National Sword policy, as well as impacts on supply chains and material demand due to the COVID-19 pandemic, have further challenged markets for recycled materials and destabilized the recycling system in the State.

(5) Significant and increasing quantities of plastics and packaging materials are seen in the environment, including in Illinois rivers, lakes, and streams. This pollution impacts the drinking water, wildlife, and recreational value of vital natural resources.

(6) Consumer brands are solely responsible for choices about the types and amounts of packaging used to package products. Units of local government and residents have borne the costs of managing increasingly complex materials even though they have no input in designing or bringing these materials to market.

(7) Units of local government are expected to fund collection and processing costs for an increasing volume of packaging and paper products, and the cost of recycling programs continues to rise with the complexity of the material stream that material recycling facilities are required to manage. Furthermore, many multifamily residences and rural areas of the State do not have access to adequate recycling opportunities.

(8) As materials continue to be landfilled and littered, lower-income and rural communities across the State bear environmental, health, and economic consequences.

(9) By failing to reuse or recycle packaging and paper products, Illinois loses economic value and green sector jobs. Establishing postconsumer recycled content requirements for rigid plastics will increase markets for this increasingly common packaging material, reduce demand for natural resources, and reduce greenhouse gas emissions.

(10) An assessment of current recycling and materials management practices in the State, including evaluation of collections, access to service, capacity, costs, gaps, and needs associated with diverting packaging and paper products from disposal, will provide needed information on current conditions and support identification of future needs to manage packaging and paper products in a sustainable, environmentally protective, and cost-effective manner.

(11) The Statewide Recycling Needs Assessment will provide data to facilitate future consideration of product stewardship legislation for packaging and paper products.

Section 10. Definitions. In this Act:

"Advisory Council" means the Statewide Recycling Needs Assessment Advisory Council established under Section 20.

"Agency" means the Environmental Protection Agency.

"Compost" has the meaning given to that term in Section 3.150 of the Environmental Protection Act.

"Compostable material" means a material that is designed to contact, contain, or carry a product that can be collected for composting and that is capable of undergoing aerobic biological decomposition in a controlled composting system as demonstrated by meeting ASTM D6400, ASTM D6868, or any successor standards.

"Composting rate" means the percentage of discarded materials that are managed through composting. A composting rate is calculated by dividing the total weight of all packaging and paper products that are collected for composting by the total weight of all packaging and paper products sold, distributed, or served to consumers in the State during the study period.

"Covered entity" means a person or entity responsible for:

(1) a single or multifamily residence, either individually or jointly through a unit of local government;

(2) a public or private school for grades kindergarten through 12th grade;

(3) a State or local government facility; or

(4) a public space, including, but not limited to, public spaces, such as parks, trails, transit stations, and pedestrian areas for which the State or a unit of local government is responsible.

"Curbside recycling" means the collection of recyclable materials from covered entities at the site where the recyclable materials are generated.

"Director" means the Director of the Agency.

"Drop-off recycling" means the collection of recyclable material from covered entities at one or more centralized sites.

"Environmental justice community" means environmental justice community as defined by the Illinois Solar for All Program, as that definition is updated from time to time by the Illinois Power Agency and the Administrator of the Illinois Solar for All Program.

"Hauler" means a person who collects recyclable or compostable materials and transports them to an MRF or compost facility, or to an intermediate facility from which materials are then transported to an MRF or compost facility.

"Material recovery facility" or "MRF" means a facility where recyclable materials collected via curbside recycling or drop-off recycling are consolidated and sorted for return to the economic mainstream in the form of raw materials.

"Packaging" means a discrete material or category of material, regardless of recyclability. "Packaging" includes, but is not limited to, a material type, such as paper, plastic, glass, metal, or multi-material, that is:

(1) used to protect, contain, transport, or serve a product;

(2) sold or supplied to consumers expressly for the purpose of protecting, containing, transporting, or serving products;

(3) attached to a product or its container for the purpose of marketing or communicating information about the product;

(4) supplied at the point of sale to facilitate the delivery of the product; or

(5) supplied to or purchased by consumers expressly for the purpose of facilitating food or beverage consumption and ordinarily disposed of after a single use or short-term use, whether or not it could be reused.

"Packaging" does not include:

(1) a medical device or packaging that is included with products regulated:

(A) as a drug, medical device, or dietary supplement by the United States Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act;

(B) as a combination product as defined under 21 CFR 3.2(e); or

(C) under the federal Dietary Supplement Health and Education Act of 1994;

(2) animal biologics, including, but not limited to, vaccines, bacterins, antisera, diagnostic kits, other products of biological origin, and other packaging and paper products regulated by the United States Department of Agriculture under the federal Virus, Serum, Toxin Act;

(3) packaging regulated under the Federal Insecticide, Fungicide, and Rodenticide Act or another applicable federal law, rule, or regulation; and

(4) beverage containers subject to a returnable container deposit, if applicable.

"Paper product" means:

(1) paper that can or has been printed on to create flyers, brochures, booklets, catalogs, greeting cards, telephone directories, newspapers, magazines; and

(2) paper used for copying, writing, or any other general use.

"Paper product" does not include:

(1) paper that, by virtue of its anticipated use, could become unsafe or unsanitary to recycle; or

(2) any form of bound book, including, but not limited to, bound books for literary, textual, or reference purposes.

"Person" means any individual, partnership, copartnership, firm, company, limited liability company, corporation, association, joint-stock company, trust, estate, political subdivision, State agency, any other legal entity, or their legal representative, agent, or assign.

"Postconsumer material" means packaging or paper products that have served their intended end use as consumer items. "Postconsumer material" does not include a by-product or waste material generated during or after the completion of a manufacturing or converting process.

"Postconsumer recycled content" means the portion of an item of packaging or paper product made from postconsumer material that has been recycled.

"Recycling" has the meaning given to "recycling, reclamation or reuse" in Section 3.380 of the Environmental Protection Act. "Recycling" does not include landfill disposal of packaging or paper products or the residue resulting from the processing of packaging or paper products at an MRF, use as alternative daily cover or any other beneficial use at a landfill, incineration, energy recovery, or energy generation by means of combustion, or final conversion of packaging and paper products or their components and by-products to a fuel.

"Recycling rate" means the percentage of packaging and paper products returned to the economic mainstream in the form of raw materials or products rather than being disposed of or discarded. The recycling rate is calculated by dividing the total weight of packaging and paper products that are collected for recycling by the total weight of packaging and paper products sold, distributed, or served to consumers in the State during the study period, not including the residue that is landfilled after processing by an MRF.

"Reusable" means:

(1) designed to be refilled or used repeatedly for its original intended purpose and is returnable;

(2) safe for washing and sanitizing according to applicable State food safety laws; and

(3) with the exception of ceramic products, capable of being recycled at the end of use.

"Reuse" means the return of packaging to the economic stream for use in the same kind of application intended for the original packaging without effectuating a change in the original composition of the package, the identity of the product, or the components thereof.

"Rigid plastic" means packaging made of plastic that has a relatively inflexible finite shape or form and is capable of maintaining its shape while empty or while holding other products.

"Service provider" means a hauler, an MRF, or a composting facility.

"Single-use packaging or product" means a packaging or product that is supplied to or purchased by consumers expressly for the purpose of facilitating food or beverage consumption and that is ordinarily disposed of after a single use or short-term use, whether or not it could be reused.

"Study period" means the period represented by the data compiled and analyzed in the completion of the Statewide Recycling Needs Assessment. The study period shall be a minimum of a one-year calendar period not earlier than 2022 and shall be clearly defined in the scope of work. If more than one year of data is used, data shall be presented on an annual basis.

Section 15. Statewide Recycling Needs Assessment Advisory Council.

(a) The Statewide Recycling Needs Assessment Advisory Council shall be appointed by the Agency. On or before January 1, 2024, the Director shall appoint members to the Advisory Council to provide advice and recommendations to the Agency in the drafting, amendment, and finalization of the Statewide Recycling Needs Assessment.

(b) In appointing members to the Advisory Council under subsection (a), the Director shall consider representatives from all geographic regions of the State, all sizes of communities in the State, all supply chain participants in the recycling system, and the racial and gender diversity of this State.

(c) Members of the Advisory Council shall include, but shall not be limited to, the following voting members:

(1) four individuals representing material recovery facilities in the State, no more than 2 of whom shall represent an MRF that accepts recyclables from Cook County or the collar counties;

(2) four individuals representing haulers, one of whom shall represent a statewide organization representing haulers, one of whom shall represent a publicly traded hauler, one of whom shall represent a privately owned hauler, and one of whom shall operate a recycling drop-off facility;

(3) one individual representing compost collection and processing facilities;

(4) eight individuals representing rural and urban units of local government, one of whom shall represent a county with a population of less than 50,000, one of whom shall represent a county with a population of more than 50,000 and less than 1,000,000, one of whom shall represent a county with a population of more than 1,000,000, two of whom shall represent municipalities with a population of less than 1,000,000, one of whom shall represent a statewide organization of municipalities as authorized by Section 1-8-1 of the Illinois Municipal Code, one of whom shall represent a municipal

joint action agency, and one of whom shall represent a municipality with a population of 1,000,000 or more;

(5) two individuals representing retailers, one of whom shall represent a statewide association of retailers;

(6) two individuals representing environmental organizations;

(7) two individuals representing environmental justice advocacy organizations or environmental justice communities;

(8) one individual representing a statewide manufacturing association;

(9) one individual representing manufacturers of products containing postconsumer material, or one or more associations of such manufacturers;

(10) one individual representing manufacturers of packaging and paper products utilizing virgin materials, or one or more associations of suppliers of substrates of packaging and paper products; and

(11) four individuals representing producers of consumer products.

(d) An individual may be appointed to only one position on the Advisory Council. Upon completion of the duties of the Advisory Council, appointments to the Advisory Council shall be terminated and the Advisory Council shall be dissolved.

(e) The duties of the Advisory Council are as follows:

(1) to provide guidance on the scope of work for the Statewide Recycling Needs Assessment required under Section 25;

(2) to assist in the provision of data required to complete the needs assessment;

(3) to review and comment on the needs assessment prior to completion;

(4) to review packaging and paper products legislation enacted in other states, including identifying the main components of the legislation, its implementation steps, and its implementation status;

(5) to evaluate and make recommendations, including legislative recommendations, on how to effectively establish and implement a producer responsibility program in the State for packaging and paper products, including recommendations regarding the responsibilities of producers under a producer responsibility program; and

(6) on or before December 1, 2026, to prepare and submit a report of its findings and recommendations to the General Assembly and the Governor, which shall include an opportunity for a minority report.

(f) The Advisory Council:

(1) shall meet at the call of the Chair, except for the first meeting, which shall be called by the Director;

(2) shall meet at least quarterly or as determined by the Advisory Council Chair;

(3) shall elect a Chair from among Advisory Council members by a simple majority vote;

(4) may adopt bylaws and a charter for the operation of its business for the purposes of this Act; and

(5) shall be provided administrative support by the Agency and Agency staff.

(g) The Agency may select and hire a third-party facilitator for the Advisory Council.

Section 20. Statewide needs assessment.

(a) The Agency shall issue a competitive solicitation in accordance with the Illinois Procurement Code to select a qualified consultant to conduct a statewide needs assessment to assess recycling, composting, and reuse conditions in the State for packaging and paper products, including identifying current conditions and an evaluation of the capacity, costs, gaps, and needs associated with recycling and the diversion of packaging and paper products. The Agency shall select the consultant on or before July 1, 2024. The needs assessment shall be funded by an appropriation from the Agency's Solid Waste Management Fund or other appropriated funding.

(b) All packaging and paper products sold, offered for sale, distributed, or imported into the State shall be included in the needs assessment.

(c) The needs assessment shall address, at a minimum, the following factors for covered entities:

(1) the quantity, by weight and type, of packaging and paper products sold, offered for sale, distributed, or served to consumers in the State by material type and format;

(2) current collection systems for packaging and paper products in the State, including for reuse, recycling, composting, and disposal;

(3) the quantity, by weight, of municipal waste disposed on a county-by-county basis for all counties in the State;

(4) the processing capacity and infrastructure for reusable, recyclable, and compostable packaging and paper products collected in the State, including capacity and infrastructure outside the State which serves or may serve the State;

(5) current reuse, recycling, and composting rates for packaging and paper products in the State by material type;

(6) current postconsumer recycled content use by material type for all packaging and paper products sold in the State;

(7) current reusability, recyclability, or compostability of packaging and paper products, by material type, for all packaging and paper products sold, offered for sale, distributed, or served in the State;

(8) current system-wide costs for the collection, reuse, recycling, and composting of packaging and paper products;

(9) current operational and capital funding limitations impacting reuse, recycling, and composting access and availability for packaging and paper products throughout the State;

(10) collection and processing system needs to provide access to curbside recycling services for all covered entities within municipalities with a population of 1,500 or more based on the most recent United States Census, with collection provided no less frequently than every 2 weeks, and at least one drop-off location for recyclable materials within 15 miles of the municipal boundary for municipalities with a population less than 1,500, with needs identified on a county-by-county basis for all counties in the State, and the estimated costs to meet the access requirements;

(11) program costs and capital investments required to achieve a 35%, 50%, and 65% recycling rate by December 31, 2035 for each material type, including paper, plastic, glass, and metal, and including investment into existing and future reuse, recycling, and composting infrastructure for packaging and paper products;

(12) the market conditions and opportunities for reusable, recyclable, and compostable packaging and paper products in the State and regionally;

(13) multilingual public education needs for the reduction, reuse, recycling, and composting of packaging and paper products, including, but not limited to, a scientific survey of current awareness among residents of this State of proper end-of-life management for packaging and paper products and the needs associated with the reduction of contamination rates at MRFs in the State; and

(14) an assessment of environmental justice and recycling equity in the State, including, but not limited to:

(A) an evaluation of current access to and the performance of curbside and drop-off recycling programs in units of local government designated as environmental justice areas; and

(B) a comparison of the location of MRFs and compost facilities in units of local government that have been designated as environmental justice areas with units of local government that are not so designated.

(d) Persons with data or information required to complete the statewide needs assessment shall provide the Agency with such data or information in a timely fashion to assist in completing the statewide needs assessment.

(e) On or before December 31, 2025, the Agency shall provide the draft needs assessment to the Advisory Council. The Advisory Council shall provide written comments to the Agency within 60 days after receipt of the needs assessment. The Agency's consultant shall include an assessment of comments received in the revised draft needs assessment submitted to the Agency and shall provide a summary and an analysis of any issues raised by the Advisory Council and significant changes suggested by any such comments, a statement of the reasons why any significant changes were not incorporated into the results of the study, and a description of any changes made to the results of the needs assessment as a result of such comments. The needs assessment shall be finalized by the Agency on or before May 1, 2026.

Section 25. Severability. The provisions of this Act shall be severable and if any phrase, clause, sentence, or provision of this Act or the applicability thereof to any person or circumstance shall be held invalid, the remainder of this Act and the application thereof shall not be affected thereby.

Section 30. The Environmental Protection Act is amended by changing Section 22.15 as follows:

(415 ILCS 5/22.15)

Sec. 22.15. Solid Waste Management Fund; fees.

(a) There is hereby created within the State Treasury a special fund to be known as the Solid Waste Management Fund, to be constituted from the fees collected by the State pursuant to this Section, from repayments of loans made from the Fund for solid waste projects, from registration fees collected pursuant to the Consumer Electronics Recycling Act, and from amounts transferred into the Fund pursuant to Public Act 100-433. Moneys received by either the Agency or the Department of Commerce and Economic Opportunity in repayment of loans made pursuant to the Illinois Solid Waste Management Act shall be deposited into the General Revenue Fund.

(b) The Agency shall assess and collect a fee in the amount set forth herein from the owner or operator of each sanitary landfill permitted or required to be permitted by the Agency to dispose of solid waste if the sanitary landfill is located off the site where such waste was produced and if such sanitary landfill is owned, controlled, and operated by a person other than the generator of such waste. The Agency shall deposit all fees collected into the Solid Waste Management Fund. If a site is contiguous to one or more landfills owned or operated by the same person, the volumes permanently disposed of by each landfill shall be combined for purposes of determining the fee under this subsection. Beginning on July 1, 2018, and on the first day of each month thereafter during fiscal years 2019 through 2023, the State Comptroller shall direct and State Treasurer shall transfer an amount equal to 1/12 of $5,000,000 per fiscal year from the Solid Waste Management Fund to the General Revenue Fund.

(1) If more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall either pay a fee of 95 cents per cubic yard or, alternatively, the owner or operator may weigh the quantity of the solid waste permanently disposed of with a device for which certification has been obtained under the Weights and Measures Act and pay a fee of $2.00 per ton of solid waste permanently disposed of. In no case shall the fee collected or paid by the owner or operator under this paragraph exceed $1.55 per cubic yard or $3.27 per ton.

(2) If more than 100,000 cubic yards but not more than 150,000 cubic yards of non-hazardous waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of $52,630.

(3) If more than 50,000 cubic yards but not more than 100,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of $23,790.

(4) If more than 10,000 cubic yards but not more than 50,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of $7,260.

(5) If not more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of $1050.

(c) (Blank).

(d) The Agency shall establish rules relating to the collection of the fees authorized by this Section. Such rules shall include, but not be limited to:

(1) necessary records identifying the quantities of solid waste received or disposed;

(2) the form and submission of reports to accompany the payment of fees to the Agency;

(3) the time and manner of payment of fees to the Agency, which payments shall not be more often than quarterly; and

(4) procedures setting forth criteria establishing when an owner or operator may measure by weight or volume during any given quarter or other fee payment period.

(e) Pursuant to appropriation, all monies in the Solid Waste Management Fund shall be used by the Agency for the purposes set forth in this Section and in the Illinois Solid Waste Management Act, including for the costs of fee collection and administration, and for the administration of the Consumer Electronics Recycling Act, ~~and~~ the Drug Take-Back Act, and the Statewide Recycling Needs Assessment Act.

(f) The Agency is authorized to enter into such agreements and to promulgate such rules as are necessary to carry out its duties under this Section and the Illinois Solid Waste Management Act.

(g) On the first day of January, April, July, and October of each year, beginning on July 1, 1996, the State Comptroller and Treasurer shall transfer $500,000 from the Solid Waste Management Fund to the Hazardous Waste Fund. Moneys transferred under this subsection (g) shall be used only for the purposes set forth in item (1) of subsection (d) of Section 22.2.

(h) The Agency is authorized to provide financial assistance to units of local government for the performance of inspecting, investigating, and enforcement activities pursuant to subsection (r) of Section 4 ~~Section 4(r)~~ at nonhazardous solid waste disposal sites.

(i) The Agency is authorized to conduct household waste collection and disposal programs.

(j) A unit of local government, as defined in the Local Solid Waste Disposal Act, in which a solid waste disposal facility is located may establish a fee, tax, or surcharge with regard to the permanent disposal of solid waste. All fees, taxes, and surcharges collected under this subsection shall be utilized for solid waste management purposes, including long-term monitoring and maintenance of landfills, planning, implementation, inspection, enforcement and other activities consistent with the Solid Waste Management Act and the Local Solid Waste Disposal Act, or for any other environment-related purpose, including, but not limited to, an environment-related public works project, but not for the construction of a new pollution control facility other than a household hazardous waste facility. However, the total fee, tax or surcharge imposed by all units of local government under this subsection (j) upon the solid waste disposal facility shall not exceed:

(1) 60¢ per cubic yard if more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year, unless the owner or operator weighs the quantity of the solid waste received with a device for which certification has been obtained under the Weights and Measures Act, in which case the fee shall not exceed $1.27 per ton of solid waste permanently disposed of.

(2) $33,350 if more than 100,000 cubic yards, but not more than 150,000 cubic yards, of non-hazardous waste is permanently disposed of at the site in a calendar year.

(3) $15,500 if more than 50,000 cubic yards, but not more than 100,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(4) $4,650 if more than 10,000 cubic yards, but not more than 50,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(5) $650 if not more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

The corporate authorities of the unit of local government may use proceeds from the fee, tax, or surcharge to reimburse a highway commissioner whose road district lies wholly or partially within the corporate limits of the unit of local government for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been dumped on public property in violation of a State law or local ordinance.

For the disposal of solid waste from general construction or demolition debris recovery facilities as defined in subsection (a-1) of Section 3.160, the total fee, tax, or surcharge imposed by all units of local government under this subsection (j) upon the solid waste disposal facility shall not exceed 50% of the applicable amount set forth above. A unit of local government, as defined in the Local Solid Waste Disposal Act, in which a general construction or demolition debris recovery facility is located may establish a fee, tax, or surcharge on the general construction or demolition debris recovery facility with regard to the permanent disposal of solid waste by the general construction or demolition debris recovery facility at a solid waste disposal facility, provided that such fee, tax, or surcharge shall not exceed 50% of the applicable amount set forth above, based on the total amount of solid waste transported from the general construction or demolition debris recovery facility for disposal at solid waste disposal facilities, and the unit of local government and fee shall be subject to all other requirements of this subsection (j).

A county or Municipal Joint Action Agency that imposes a fee, tax, or surcharge under this subsection may use the proceeds thereof to reimburse a municipality that lies wholly or partially within its boundaries for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been dumped on public property in violation of a State law or local ordinance.

If the fees are to be used to conduct a local sanitary landfill inspection or enforcement program, the unit of local government must enter into a written delegation agreement with the Agency pursuant to subsection (r) of Section 4. The unit of local government and the Agency shall enter into such a written delegation agreement within 60 days after the establishment of such fees. At least annually, the Agency shall conduct an audit of the expenditures made by units of local government from the funds granted by the Agency to the units of local government for purposes of local sanitary landfill inspection and enforcement programs, to ensure that the funds have been expended for the prescribed purposes under the grant.

The fees, taxes or surcharges collected under this subsection (j) shall be placed by the unit of local government in a separate fund, and the interest received on the moneys in the fund shall be credited to the

fund. The monies in the fund may be accumulated over a period of years to be expended in accordance with this subsection.

A unit of local government, as defined in the Local Solid Waste Disposal Act, shall prepare and post on its website, in April of each year, a report that details spending plans for monies collected in accordance with this subsection. The report will at a minimum include the following:

(1) The total monies collected pursuant to this subsection.

(2) The most current balance of monies collected pursuant to this subsection.

(3) An itemized accounting of all monies expended for the previous year pursuant to this subsection.

(4) An estimation of monies to be collected for the following 3 years pursuant to this subsection.

(5) A narrative detailing the general direction and scope of future expenditures for one, 2 and 3 years.

The exemptions granted under Sections 22.16 and 22.16a, and under subsection (k) of this Section, shall be applicable to any fee, tax or surcharge imposed under this subsection (j); except that the fee, tax or surcharge authorized to be imposed under this subsection (j) may be made applicable by a unit of local government to the permanent disposal of solid waste after December 31, 1986, under any contract lawfully executed before June 1, 1986 under which more than 150,000 cubic yards (or 50,000 tons) of solid waste is to be permanently disposed of, even though the waste is exempt from the fee imposed by the State under subsection (b) of this Section pursuant to an exemption granted under Section 22.16.

(k) In accordance with the findings and purposes of the Illinois Solid Waste Management Act, beginning January 1, 1989 the fee under subsection (b) and the fee, tax or surcharge under subsection (j) shall not apply to:

(1) waste which is hazardous waste;

(2) waste which is pollution control waste;

(3) waste from recycling, reclamation or reuse processes which have been approved by the Agency as being designed to remove any contaminant from wastes so as to render such wastes reusable, provided that the process renders at least 50% of the waste reusable; the exemption set forth in this paragraph (3) of this subsection (k) shall not apply to general construction or demolition debris recovery facilities as defined in subsection (a-1) of Section 3.160;

(4) non-hazardous solid waste that is received at a sanitary landfill and composted or recycled through a process permitted by the Agency; or

(5) any landfill which is permitted by the Agency to receive only demolition or construction debris or landscape waste.

(Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20; 102-16, eff. 6-17-21; 102-310, eff. 8-6-21; 102-444, eff. 8-20-21; 102-699, eff. 4-19-22; 102-813, eff. 5-13-22; 102-1055, eff. 6-10-22; revised 8-25-22.)

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

Under the rules, the foregoing **Senate Bill No. 1555**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1629

A bill for AN ACT concerning public employee benefits.

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

House Amendment No. 1 to SENATE BILL NO. 1629

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1629

AMENDMENT NO. 1 . Amend Senate Bill 1629 on page 2, line 14, by replacing "120" with "60".

Under the rules, the foregoing **Senate Bill No. 1629**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1710

A bill for AN ACT concerning transportation.

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

House Amendment No. 3 to SENATE BILL NO. 1710

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 3 TO SENATE BILL 1710

AMENDMENT NO. 3 . 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. Paved bicycle trail signage. For the purposes of this Section, "paved bicycle trail" includes trails accommodating bicycle traffic composed of aggregate, asphalt, bituminous treatment, concrete, crushed limestone, or any combination thereof. The authority having maintenance jurisdiction over publicly owned paved bicycle trails in the State shall erect permanent regulatory or warning signage alerting pedestrians or cyclists of highway crossings. If the authority having maintenance jurisdiction over publicly owned bicycle trails has actual knowledge of an emergency or safety hazard that creates a dangerous condition on a publicly owned paved bicycle trail, the authority shall take reasonable steps to erect temporary signage alerting pedestrians or cyclist of the dangerous condition. The Department with reference to State highways under its jurisdiction, and the local authority with reference to other highways under its jurisdiction, shall erect or install permanent signage or markings warning vehicular traffic in advance of bicycle trail crossings. Permanent signage erected or installed 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. This Section shall not apply to rustic or primitive trails.".

Under the rules, the foregoing **Senate Bill No. 1710**, with House Amendment No. 3, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1754

A bill for AN ACT concerning local government.

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

House Amendment No. 2 to SENATE BILL NO. 1754

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 1754

AMENDMENT NO. 2 . Amend Senate Bill 1754 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Administrative Procedure Act is amended by adding Section 5-45.35 as follows:

(5 ILCS 100/5-45.35 new)

Sec. 5-45.35. Emergency rulemaking; Illinois Law Enforcement Training Standards Board. To provide for the expeditious and timely implementation of the changes made in Sections 8.1 and 8.2 of the Illinois Police Training Act, emergency rules implementing the waiver process under Sections 8.1 and 8.2 of the Illinois Police Training Act may be adopted in accordance with Section 5-45 by the Illinois Law Enforcement Training Standards Board. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this amendatory Act of the 103rd General Assembly.

Section 10. The Illinois Police Training Act is amended by changing Sections 8.1 and 8.2 as follows:

(50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

Sec. 8.1. Full-time law enforcement and county corrections officers.

(a) No person shall receive a permanent appointment as a law enforcement officer or a permanent appointment as a county corrections officer unless that person has been awarded, within 6 months of the officer's initial full-time employment, a certificate attesting to the officer's successful completion of the Minimum Standards Basic Law Enforcement or County Correctional Training Course as prescribed by the Board; or has been awarded a certificate attesting to the officer's satisfactory completion of a training program of similar content and number of hours and which course has been found acceptable by the Board under the provisions of this Act; or a training waiver by reason of ~~extensive~~ prior law enforcement or county corrections experience, obtained in Illinois, in any other state, or with an agency of the federal government, the basic training requirement is determined by the Board to be illogical and unreasonable. Agencies seeking a reciprocity waiver for training completed outside of Illinois must conduct a thorough background check and provide verification of the officer's prior training. After review and satisfaction of all requested conditions, the officer shall be awarded an equivalency certificate satisfying the requirements of this Section. Within 60 days after the effective date of this amendatory Act of the 103rd General Assembly, the Board shall adopt uniform rules providing for a waiver process for a person previously employed and qualified as a law enforcement or county corrections officer under federal law or the laws of any other state, or who has completed a basic law enforcement officer or correctional officer academy who would be qualified to be employed as a law enforcement officer or correctional officer by the federal government or any other state. These rules shall address the process for evaluating prior training credit, a description and list of the courses typically required for reciprocity candidates to complete prior to taking the exam, and a procedure for employers seeking a pre-activation determination for a reciprocity training waiver. The rules shall provide that any eligible person previously trained as a law enforcement or county corrections officer under federal law or the laws of any other state shall successfully complete the following prior to the approval of a waiver:

(1) a training program or set of coursework approved by the Board on the laws of this State relevant to the duties and training requirements of law enforcement and county correctional officers;

(2) firearms training; and

(3) successful passage of the equivalency certification examination.

If such training is required and not completed within the applicable 6 months, then the officer must forfeit the officer's position, or the employing agency must obtain a waiver from the Board extending the period for compliance. Such waiver shall be issued only for good and justifiable reasons, and in no case shall extend more than 90 days beyond the initial 6 months. Any hiring agency that fails to train a law enforcement officer within this period shall be prohibited from employing this individual in a law enforcement capacity for one year from the date training was to be completed. If an agency again fails to train the individual a second time, the agency shall be permanently barred from employing this individual in a law enforcement capacity.

An individual who is not certified by the Board or whose certified status is inactive shall not function as a law enforcement officer, be assigned the duties of a law enforcement officer by an employing agency, or be authorized to carry firearms under the authority of the employer, except as otherwise authorized to carry a firearm under State or federal law. Sheriffs who are elected as of January 1, 2022 (the effective date of Public Act 101-652) ~~this amendatory Act of the 101st General Assembly,~~ are exempt from the

requirement of certified status. Failure to be certified in accordance with this Act shall cause the officer to forfeit the officer's position.

An employing agency may not grant a person status as a law enforcement officer unless the person has been granted an active law enforcement officer certification by the Board.

(b) Inactive status. A person who has an inactive law enforcement officer certification has no law enforcement authority.

(1) A law enforcement officer's certification becomes inactive upon termination, resignation, retirement, or separation from the officer's employing law enforcement agency for any reason. The Board shall re-activate a certification upon written application from the law enforcement officer's law enforcement agency that shows the law enforcement officer: (i) has accepted a full-time law enforcement position with that law enforcement agency, (ii) is not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board. The Board may also establish special training requirements to be completed as a condition for re-activation.

The Board shall review a notice for reactivation from a law enforcement agency and provide a response within 30 days. The Board may extend this review. A law enforcement officer shall be allowed to be employed as a full-time law enforcement officer while the law enforcement officer reactivation waiver is under review.

A law enforcement officer who is refused reactivation or an employing agency of a law enforcement officer who is refused reactivation under this Section may request a hearing in accordance with the hearing procedures as outlined in subsection (h) of Section 6.3 of this Act.

The Board may refuse to re-activate the certification of a law enforcement officer who was involuntarily terminated for good cause by an employing agency for conduct subject to decertification under this Act or resigned or retired after receiving notice of a law enforcement agency's investigation.

(2) A law enforcement agency may place an officer who is currently certified on inactive status by sending a written request to the Board. A law enforcement officer whose certificate has been placed on inactive status shall not function as a law enforcement officer until the officer has completed any requirements for reactivating the certificate as required by the Board. A request for inactive status in this subsection shall be in writing, accompanied by verifying documentation, and shall be submitted to the Board with a copy to the chief administrator of the law enforcement officer's current or new employing agency.

(3) Certification that has become inactive under paragraph (2) of this subsection (b)~~,~~ shall be reactivated by written notice from the law enforcement officer's agency upon a showing that the law enforcement officer ~~is~~: (i) is employed in a full-time law enforcement position with the same law enforcement agency, (ii) is not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board.

(4) Notwithstanding paragraph (3) of this subsection (b), a law enforcement officer whose certification has become inactive under paragraph (2) may have the officer's employing agency submit a request for a waiver of training requirements to the Board in writing and accompanied by any verifying documentation~~.~~. A grant of a waiver is within the discretion of the Board. Within 7 days of receiving a request for a waiver under this Section ~~section~~, the Board shall notify the law enforcement officer and the chief administrator of the law enforcement officer's employing agency, whether the request has been granted, denied, or if the Board will take additional time for information. A law enforcement agency~~,~~ whose request for a waiver under this subsection is denied~~,~~ is entitled to request a review of the denial by the Board. The law enforcement agency must request a review within 20 days of the waiver being denied. The burden of proof shall be on the law enforcement agency to show why the law enforcement officer is entitled to a waiver of the legislatively required training and eligibility requirements.

(c) No provision of this Section shall be construed to mean that a county corrections officer employed by a governmental agency at the time of the effective date of this amendatory Act, either as a probationary county corrections officer or as a permanent county corrections officer, shall require certification under the provisions of this Section. No provision of this Section shall be construed to apply to certification of elected county sheriffs.

(d) Within 14 days, a law enforcement officer shall report to the Board: (1) any name change; (2) any change in employment; or (3) the filing of any criminal indictment or charges against the officer alleging that the officer committed any offense as enumerated in Section 6.1 of this Act.

(e) All law enforcement officers must report the completion of the training requirements required in this Act in compliance with Section 8.4 of this Act.

(e-1) Each employing law enforcement agency shall allow and provide an opportunity for a law enforcement officer to complete the mandated requirements in this Act. All mandated training shall ~~will~~ be provided ~~for~~ at no cost to the employees. Employees shall be paid for all time spent attending mandated training.

(e-2) Each agency, academy, or training provider shall maintain proof of a law enforcement officer's completion of legislatively required training in a format designated by the Board. The report of training shall be submitted to the Board within 30 days following completion of the training. A copy of the report shall be submitted to the law enforcement officer. Upon receipt of a properly completed report of training, the Board will make the appropriate entry into the training records of the law enforcement officer.

(f) This Section does not apply to part-time law enforcement officers or probationary part-time law enforcement officers.

(g) Notwithstanding any provision of law to the contrary, the changes made to this Section by ~~this amendatory Act of the 102nd General Assembly,~~ Public Act 101-652, ~~and~~ Public Act 102-28, and Public Act 102-694 take effect July 1, 2022.

(Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22; 102-28, eff. 6-25-21; 102-694, eff. 1-7-22; revised 2-3-22.)

(50 ILCS 705/8.2)

Sec. 8.2. Part-time law enforcement officers.

(a) A person hired to serve as a part-time law enforcement officer must obtain from the Board a certificate (i) attesting to the officer's successful completion of the part-time police training course; (ii) attesting to the officer's satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) a training waiver attesting to the Board's determination that the part-time police training course is unnecessary because of the person's ~~extensive~~ prior law enforcement experience obtained in Illinois, in any other state, or with an agency of the federal government. A person hired on or after the effective date of this amendatory Act of the 92nd General Assembly must obtain this certificate within 18 months after the initial date of hire as a probationary part-time law enforcement officer in the State of Illinois. The probationary part-time law enforcement officer must be enrolled and accepted into a Board-approved course within 6 months after active employment by any department in the State. A person hired on or after January 1, 1996 and before the effective date of this amendatory Act of the 92nd General Assembly must obtain this certificate within 18 months after the date of hire. A person hired before January 1, 1996 must obtain this certificate within 24 months after the effective date of this amendatory Act of 1995. Agencies seeking a reciprocity waiver for training completed outside of Illinois must conduct a thorough background check and provide verification of the officer's prior training. After review and satisfaction of all requested conditions, the officer shall be awarded an equivalency certificate satisfying the requirements of this Section. Within 60 days after the effective date of this amendatory Act of the 103rd General Assembly, the Board shall adopt uniform rules providing for a waiver process for a person previously employed and qualified as a law enforcement or county corrections officer under federal law or the laws of any other state, or who has completed a basic law enforcement officer or correctional officer academy who would be qualified to be employed as a law enforcement officer or correctional officer by the federal government or any other state. These rules shall address the process for evaluating prior training credit, a description and list of the courses typically required for reciprocity candidates to complete prior to taking the exam, and a procedure for employers seeking a pre-activation determination for a reciprocity training waiver. The rules shall provide that any eligible person previously trained as a law enforcement or county corrections officer under federal law or the laws of any other state shall successfully complete the following prior to the approval of a waiver:

(1) a training program or set of coursework approved by the Board on the laws of this State relevant to the duties and training requirements of law enforcement and county correctional officers;

(2) firearms training; and

(3) successful passage of the equivalency certification examination.

The employing agency may seek an extension waiver from the Board extending the period for compliance. An extension waiver shall be issued only for good and justifiable reasons, and the probationary part-time law enforcement officer may not practice as a part-time law enforcement officer during the extension waiver period. If training is required and not completed within the applicable time period, as extended by any waiver that may be granted, then the officer must forfeit the officer's position.

An individual who is not certified by the Board or whose certified status is inactive shall not function as a law enforcement officer, be assigned the duties of a law enforcement officer by an agency, or be authorized to carry firearms under the authority of the employer, except that sheriffs who are elected are exempt from the requirement of certified status. Failure to be in accordance with this Act shall cause the officer to forfeit the officer's position.

(a-5) A part-time probationary law enforcement officer shall be allowed to complete six months of a part-time police training course and function as a law enforcement officer as permitted by this subsection with a waiver from the Board, provided the part-time law enforcement officer is still enrolled in the training course. If the part-time probationary law enforcement officer withdraws from the course for any reason or does not complete the course within the applicable time period, as extended by any waiver that may be granted, then the officer must forfeit the officer's position. A probationary law enforcement officer must function under the following rules:

(1) A law enforcement agency may not grant a person status as a law enforcement officer unless the person has been granted an active law enforcement officer certification by the Board.

(2) A part-time probationary law enforcement officer shall not be used as a permanent replacement for a full-time law enforcement.

(3) A part-time probationary law enforcement officer shall be directly supervised at all times by a Board certified law enforcement officer. Direct supervision requires oversight and control with the supervisor having final decision-making authority as to the actions of the recruit during duty hours.

(b) Inactive status. A person who has an inactive law enforcement officer certification has no law enforcement authority.

(1) A law enforcement officer's certification becomes inactive upon termination, resignation, retirement, or separation from the employing agency for any reason. The Board shall re-activate a certification upon written application from the law enforcement officer's employing agency that shows the law enforcement officer: (i) has accepted a part-time law enforcement position with that a law enforcement agency, (ii) is not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board.

The Board may refuse to re-activate the certification of a law enforcement officer who was involuntarily terminated for good cause by the officer's employing agency for conduct subject to decertification under this Act or resigned or retired after receiving notice of a law enforcement agency's investigation.

(2) A law enforcement agency may place an officer who is currently certified on inactive status by sending a written request to the Board. A law enforcement officer whose certificate has been placed on inactive status shall not function as a law enforcement officer until the officer has completed any requirements for reactivating the certificate as required by the Board. A request for inactive status in this subsection shall be in writing, accompanied by verifying documentation, and shall be submitted to the Board by the law enforcement officer's employing agency.

(3) Certification that has become inactive under paragraph (2) of this subsection (b), shall be reactivated by written notice from the law enforcement officer's law enforcement agency upon a showing that the law enforcement officer is: (i) employed in a part-time law enforcement position with the same law enforcement agency, (ii) not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board. The Board may also establish special training requirements to be completed as a condition for re-activation.

The Board shall review a notice for reactivation from a law enforcement agency and provide a response within 30 days. The Board may extend this review. A law enforcement officer shall be allowed to be employed as a part-time law enforcement officer while the law enforcement officer reactivation waiver is under review.

A law enforcement officer who is refused reactivation or an employing agency of a law enforcement officer who is refused reactivation under this Section may request a hearing in accordance with the hearing procedures as outlined in subsection (h) of Section 6.3 of this Act.

(4) Notwithstanding paragraph (3) of this Section, a law enforcement officer whose certification has become inactive under paragraph (2) may have the officer's employing agency submit a request for a waiver of training requirements to the Board in writing and accompanied by any verifying documentation. A grant of a waiver is within the discretion of the Board. Within 7 days of receiving a request for a waiver under this section, the Board shall notify the law enforcement officer and the chief administrator of the law enforcement officer's employing agency, whether the request has been

granted, denied, or if the Board will take additional time for information. A law enforcement agency or law enforcement officer, whose request for a waiver under this subsection is denied, is entitled to request a review of the denial by the Board. The law enforcement agency must request a review within 20 days after the waiver being denied. The burden of proof shall be on the law enforcement agency to show why the law enforcement officer is entitled to a waiver of the legislatively required training and eligibility requirements.

(c) The part-time police training course referred to in this Section shall be of similar content and the same number of hours as the courses for full-time officers and shall be provided by Mobile Team In-Service Training Units under the Intergovernmental Law Enforcement Officer's In-Service Training Act or by another approved program or facility in a manner prescribed by the Board.

(d) Within 14 days, a law enforcement officer shall report to the Board: (1) any name change; (2) any change in employment; or (3) the filing of any criminal indictment or charges against the officer alleging that the officer committed any offense as enumerated in Section 6.1 of this Act.

(e) All law enforcement officers must report the completion of the training requirements required in this Act in compliance with Section 8.4 of this Act.

(e-1) Each employing agency shall allow and provide an opportunity for a law enforcement officer to complete the requirements in this Act. All mandated training shall be provided for at no cost to the employees. Employees shall be paid for all time spent attending mandated training.

(e-2) Each agency, academy, or training provider shall maintain proof of a law enforcement officer's completion of legislatively required training in a format designated by the Board. The report of training shall be submitted to the Board within 30 days following completion of the training. A copy of the report shall be submitted to the law enforcement officer. Upon receipt of a properly completed report of training, the Board will make the appropriate entry into the training records of the law enforcement officer.

(f) For the purposes of this Section, the Board shall adopt rules defining what constitutes employment on a part-time basis.

(g) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.
(Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)".

Under the rules, the foregoing **Senate Bill No. 1754**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1872

A bill for AN ACT concerning education.

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

House Amendment No. 1 to SENATE BILL NO. 1872

Passed the House, as amended, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 1872

AMENDMENT NO. 1 . Amend Senate Bill 1872 on page 11, lines 10 and 11, by replacing "at least 45 days before the end of any school term" with "on or before April 15 ~~at least 45 days before the end of any school term~~".

Under the rules, the foregoing **Senate Bill No. 1872**, with House Amendment No. 1, was referred to the Secretary's Desk.

A message from the House by
Mr. Hollman, Clerk:

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

HOUSE BILL NO. 301

A bill for AN ACT concerning education.
Passed the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 301** was taken up, ordered printed and placed on first reading.

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

HOUSE JOINT RESOLUTION NO. 10

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to truly great individuals who have served our country and, in doing so, have made the ultimate sacrifice for our nation; and

WHEREAS, Sergeant Michael J. Vangelisti was born in Ottawa on June 26, 1947; he graduated from Marseilles High School in 1965; he attended Southern Illinois University and Bradley University before enlisting in the U.S. Air Force in August 1967; and

WHEREAS, SGT Vangelisti entered active duty on January 18, 1968, and he was assigned to Vietnam in September 1969; and

WHEREAS, SGT Vangelisti died on April 28, 1970 due to injuries sustained in an aircraft accident; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Route 6 in the City of Marseilles that runs from the intersections of Route 6 and Jefferson Street to Route 6 and Main Street as the "SGT Michael J. Vangelisti 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 "SGT Michael J. Vangelisti Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of SGT Vangelisti, the Mayor of Marseilles, and the Secretary of the Illinois Department of Transportation.
Adopted by the House, April 26, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 10 was referred to the Committee on Assignments.

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

HOUSE JOINT RESOLUTION NO. 11

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to truly great individuals who have served our country and, in doing so, have made the ultimate sacrifice for our nation; and

WHEREAS, U.S. Army Specialist 4 Norman Eugene Treest was born in Aurora in 1947; he graduated from Ottawa High School in 1965; he enlisted in the U.S. Army on May 18, 1966; and

WHEREAS, SPC Treest was wounded on December 18, 1966, and he returned to Vietnam on April 20, 1967; and

WHEREAS, While on patrol on July 1, 1967, SPC Treest was wounded a second time and succumbed to his injuries on July 5, 1967; and

WHEREAS, SPC Treest was awarded the Purple Heart for wounds received in action; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Route 6 in the City of Marseilles that runs from the intersections of Route 6 and Oakdale Street to Route 6 and Main Street as the "SPC Norman Treest 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 "SPC Norman Treest Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of SPC Treest, the Mayor of Marseilles, and the Secretary of the Illinois Department of Transportation.

Adopted by the House, April 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 11 was referred to the Committee on Assignments.

A message from the House by
Mr. Hollman, Clerk:

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

HOUSE JOINT RESOLUTION NO. 12

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to veterans who have served their country and the State of Illinois; and

WHEREAS, Private First Class Ralph E. Snell was a member of the 136th Infantry, 33rd Division of the U.S. Army; he entered into service on April 22, 1942, and he was stationed at various camps in the United States until he went overseas on July 5, 1943; he served in the New Guinea and Philippine campaigns and returned to the United States on November 4, 1945; he was honorably discharged at Camp Grant on November 24, 1945; and

WHEREAS, On May 6, 1945, the 136th Infantry was met by heavy mortar, machine gun, and rifle fire from the flanks and from caves on the reverse slope; as it reached the crest of the hill, a machine gun on the right flank opened fire and wounded four men; PFC Snell moved forward alone and destroyed the weapon and its crew; he then directed his fellow soldiers in destroying three Japanese strong points; although wounded himself, he led his fellow soldiers forward, secured the enemy positions, captured the hill, and only then allowed himself to be evacuated; and

WHEREAS, On June 9, 1946, PFC Snell was awarded the Distinguished Service Cross, the army's second highest award for conspicuous gallantry above and beyond the call of duty; along with the cross, he received the Good Conduct Medal, the American Campaign Ribbon, the Asiatic-Pacific Ribbon with two Bronze Battle Stars, the Philippine Liberation Medal with one Bronze Battle Star, and the Purple Heart; and

WHEREAS, PFC Snell displayed inspiring leadership, indomitable fighting spirit, and heroic effort despite his wounds; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the Utica River Bridge as the "Ralph E. Snell Memorial Bridge"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the "Ralph E. Snell Memorial Bridge"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of PFC Snell and the Secretary of the Illinois Department of Transportation.

Adopted by the House, April 18, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 12 was referred to the Committee on Assignments.

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 285

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 764

A bill for AN ACT concerning regulation.

SENATE BILL NO. 1611

A bill for AN ACT concerning government.

SENATE BILL NO. 1818

A bill for AN ACT concerning the Illinois State flag.

Passed the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 2175

A bill for AN ACT concerning criminal law.

SENATE BILL NO. 2390

A bill for AN ACT concerning education.

Passed the House, May 17, 2023.

JOHN W. HOLLMAN, Clerk of the House

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 301, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Villanueva, **House Bill No. 1286** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1286

AMENDMENT NO. 1 . Amend House Bill 1286 on page 1, by replacing lines 20 through 22 with "room or suite of rooms, intended for simultaneous use by 2 or more occupants, containing at least one sink and at least 2 toilets."; and

on page 2, line 12, by replacing "Stall" with "Floor-to-ceiling stall"; and

on page 2, by replacing lines 17 and 18 with the following:

"An all-gender multiple-occupancy restroom shall not contain urinals."; and

on page 3, line 2, after "facility", by inserting "converts any multiple-occupancy restroom into an all-gender multiple-occupancy restroom or".

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

On motion of Senator Loughran Cappel, **House Bill No. 2447** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 2829** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 2847** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **House Bill No. 3326** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3326

AMENDMENT NO. 1 . Amend House Bill 3326 by replacing line 3 on page 32 through line 18 on page 34 with the following:

"(625 ILCS 5/2-130 new)

Sec. 2-130. User of automated license plate readers; prohibitions.

(a) As used in this Section:

"Automated license plate reader" or "ALPR" means an electronic device that is mounted on a law enforcement vehicle or positioned in a stationary location and that is capable of recording data on or taking a photograph of a vehicle or its license plate and comparing the collected data and photographs to existing law enforcement databases for investigative purposes. "ALPR" includes a device that is owned or operated by a person or an entity other than a law enforcement agency to the extent that data collected by the reader is shared with a law enforcement agency.

"ALPR information" means information gathered by an ALPR or created from the analysis of data generated by an ALPR.

"ALPR systems" means multi-agency or vendor agreements that allow the sharing of ALPR information collected in Illinois.

"ALPR user" means a person or entity that owns or operates an ALPR device.

"Law enforcement agency" means a State or local agency, unit of local government, or private entity charged with the enforcement of State, county, or municipal laws or with managing custody of detained persons in any state or jurisdiction.

(b) An ALPR user shall not sell, share, allow access to, or transfer ALPR information to any state or local jurisdiction for the purpose of investigating or enforcing a law that:

(1) denies or interferes with a person's right to choose or obtain reproductive health care services or any lawful health care services as defined by the Lawful Health Care Activity Act; or

(2) permits the detention or investigation of a person based on the person's immigration status.

(c) Any ALPR user in this State, including any law enforcement agency of this State that uses ALPR systems, shall not share ALPR information with an out-of-state law enforcement agency without first

obtaining a written declaration from the out-of-state law enforcement agency that it expressly affirms that ALPR information obtained shall not be used in a manner that violates subsection (b). If a written declaration of affirmation is not executed, the law enforcement agency shall not share the ALPR information with the out-of-state law enforcement agency.

(d) ALPR information shall be held confidentially to the fullest extent permitted by law.

(e) Nothing in this Act shall define or limit any rights under the Reproductive Health Act.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.".

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

On motion of Senator Villivalam, **House Bill No. 3643** was taken up, read by title a second time.

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

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

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

AMENDMENT NO. 3 TO HOUSE BILL 3643

AMENDMENT NO. 3 . Amend House Bill 3643 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.85 and 34-18.82 as follows:

(105 ILCS 5/10-20.85 new)

Sec. 10-20.85. Religious dietary food options.

(a) Throughout the State, students depend on schools to provide nutritionally balanced, low-cost or free school lunches each day. This Section is intended to accommodate the religious meal practices of students in a manner that elevates such accommodation over a school's compelling interest in providing students with nutritious, reasonable, and low-cost school lunches. The General Assembly intends for schools to accommodate requests for religious meals in accordance with this Section to the extent that the religious meal accommodations do not impose excessive or unjustified burdens on other students or jeopardize the effective functioning of the school lunch program.

(b) In this Section, "religious dietary food option" means meals that meet specific foods and food preparation techniques that satisfy religious dietary requirements.

(c) Subject to appropriation, to meet the requirement of providing a religious dietary food option as part of a school lunch program, each school district shall provide religious dietary food options, including, but not limited to, halal and kosher food options. A school district is required to comply with this subsection only if the State Board of Education is able to secure a statewide education master contract and provide a religious dietary food option to the school district pursuant to subsection (e) of this Section. School districts shall meet this requirement by offering students the opportunity to order prepackaged meals made available by the State Board of Education through a statewide education master contract pursuant to Article 28A of this Code. By July 1 of each year, the State Board of Education shall notify school districts of any available prepackaged meal options for the upcoming school year. School districts shall adopt procedures regarding ordering, preparing, and serving prepackaged meal options offered under a statewide education master contract. All meal options provided by a statewide education master contract entered into to purchase religious dietary food options must meet federal nutritional standards and be eligible for federal free and reduced-price lunch programs. School districts may not be charged more than the reimbursable Type A lunch reimbursement amount for any meal offered under the statewide education master contract. Any meal offered under a statewide education master contract may not require a school district to purchase any special or additional kitchen preparation equipment or storage equipment and may not require either any specialized staff, other than those staff members who are currently available in a school, or any special certifications.

(d) Any vendor offering halal food products to the school district shall certify that the food or food product is halal and that the vendor is in compliance with the Halal Food Act. Any vendor offering kosher food products to the school district shall certify that the food or food product is kosher and that the vendor is in compliance with the Kosher Food Act. The school district may rely upon these certifications.

(e) The State Board of Education shall enter into a statewide education master contract under Article 28A of this Code with a vendor for packaged meals that meet both the federal and State nutritional guidelines for school lunch programs, as defined in the School Breakfast and Lunch Program Act, for the purpose of providing a statewide option for school districts to purchase meals that meet the requirements of this Section. The State Board of Education may enter into as many contracts as needed in order to provide access for school districts statewide. The contract must include packaged meal delivery directly to any requesting school in this State at a uniform delivery cost, regardless of the school's location. The State Board of Education shall notify all school districts of the award of the contract as required in subsection (c) of Section 10-20.21 of this Code. Upon notice, a school district may purchase prepackaged meals from the contracted vendor as needed in order to comply with subsection (c) of this Section.

(105 ILCS 5/34-18.82 new)

Sec. 34-18.82. Religious dietary food options.

(a) Throughout the State, students depend on schools to provide nutritionally balanced, low-cost or free school lunches each day. This Section is intended to accommodate the religious meal practices of students in a manner that elevates such accommodation over a school's compelling interest in providing students with nutritious, reasonable, and low-cost school lunches. The General Assembly intends for schools to accommodate requests for religious meals in accordance with this Section to the extent that the religious meal accommodations do not impose excessive or unjustified burdens on other students or jeopardize the effective functioning of the school lunch program.

(b) In this Section, "religious dietary food option" means meals that meet specific foods and food preparation techniques that satisfy religious dietary requirements.

(c) Subject to appropriation, to meet the requirement of providing a religious dietary food option as part of a school lunch program, the school district shall provide religious dietary food options, including, but not limited to, halal and kosher food options. The school district is required to comply with this subsection only if the State Board of Education is able to secure a statewide education master contract and provide a religious dietary food option to the school district pursuant to subsection (e) of this Section. The school district shall meet this requirement by offering students the opportunity to order prepackaged meals made available by the State Board of Education through a statewide education master contract pursuant to Article 28A of this Code. By July 1 of each year, the State Board of Education shall notify the school district of any available prepackaged meal options for the upcoming school year. The school district shall adopt procedures regarding ordering, preparing, and serving prepackaged meal options offered under a statewide education master contract. All meal options provided by a statewide education master contract entered into to purchase religious dietary food options must meet federal nutritional standards and be eligible for federal free and reduced-price lunch programs. The school district may not be charged more than the reimbursable Type A lunch reimbursement amount for any meal offered under the statewide education master contract. Any meal offered under a statewide education master contract may not require the school district to purchase any special or additional kitchen preparation equipment or storage equipment and may not require either any specialized staff, other than those staff members who are currently available in a school, or any special certifications.

(d) Any vendor offering halal food products to the school district shall certify that the food or food product is halal and that the vendor is in compliance with the Halal Food Act. Any vendor offering kosher food products to the school district shall certify that the food or food product is kosher and that the vendor is in compliance with the Kosher Food Act. The school district may rely upon these certifications.

(e) The State Board of Education shall enter into a statewide education master contract as provided in subsection (e) of Section 10-20.85 of this Code. The State Board of Education shall notify the school district of the award of the contract as required in subsection (c) of Section 10-20.21 of this Code. Upon notice, the school district may purchase prepackaged meals from the contracted vendor as needed in order to comply with subsection (c) of this Section.

Section 10. The University of Illinois Hospital Act is amended by adding Section 8h as follows:

(110 ILCS 330/8h new)

Sec. 8h. Religious dietary food options.

(a) In this Section, "religious dietary food options" means meals that meet specific foods and food preparation techniques that satisfy religious dietary requirements.

(b) The University of Illinois Hospital shall offer, upon request provided with reasonable notice, at the University of Illinois Hospital, religious dietary food options that comply with federal and State nutritional

guidelines. After an individual submits a request for a religious dietary food option, the University of Illinois Hospital shall make accommodations for the request as soon as the University of Illinois Hospital is able to provide the meals.

(c) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

Section 15. The Halal Food Act is amended by adding Section 25 as follows:

(410 ILCS 637/25 new)

Sec. 25. State facility halal food options.

(a) In this Section, "State-owned or State-operated facility" means either of the following:

(1) A hospital that is organized under the University of Illinois Hospital Act.

(2) A penal institution, as that term is defined under Section 2-14 of the Criminal Code of 2012, that is owned or operated by the State.

(b) Any halal food product offered by a State-owned or State-operated facility shall be purchased from a halal-certified vendor. Any person, organization, or vendor falsely representing a food product it provides as halal or falsely representing itself as a halal-certified vendor is subject to penalties under this Act.

(c) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

Section 20. The Kosher Food Act is amended by adding Sections 0.05 and 1.5 and by changing Section 2 as follows:

(410 ILCS 645/0.05 new)

Sec. 0.05. Definition. In this Act, "kosher" means supervised, prepared under, and maintained in strict compliance with the laws and customs of the Jewish religion, including, but not limited to, the laws and customs of shechita requiring the slaughter of animals according to appropriate Jewish law, and in compliance with the strictest standards of Jewish law as expressed by reliable, recognized Jewish entities and Jewish rabbis.

(410 ILCS 645/1.5 new)

Sec. 1.5. State facility kosher food options.

(a) In this Section, "State-owned or State-operated facility" means either of the following:

(1) A hospital that is organized under the University of Illinois Hospital Act.

(2) A penal institution, as that term is defined under Section 2-14 of the Criminal Code of 2012, that is owned or operated by the State.

(b) Any kosher food product offered by a State-owned or State-operated facility shall be purchased from a kosher-certified vendor. Any person, organization, or vendor falsely representing a food product it provides as kosher or falsely representing itself as a kosher-certified vendor is subject to penalties under Section 2 of this Act.

(c) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

(410 ILCS 645/2) (from Ch. 56 1/2, par. 288.2)

Sec. 2. Any person convicted of violating Section 1 or 1.5 of this Act, shall for the first offense, be guilty of a Class C misdemeanor and for the second and each subsequent offense shall be guilty of a Class A misdemeanor.

(Source: P.A. 77-2510.)

Section 25. The Unified Code of Corrections is amended by adding Section 3-7-9 as follows:

(730 ILCS 5/3-7-9 new)

Sec. 3-7-9. Religious dietary food options.

(a) In this Section, "religious dietary food options" means meals that meet specific foods and food preparation techniques that satisfy religious dietary requirements.

(b) Any Department of Corrections facility that provides food services or cafeteria services for which food products are provided or offered for sale shall also offer, upon request provided with reasonable notice, religious dietary food options that comply with federal and State nutritional guidelines at the Department of Corrections facility. After an individual submits a request for a religious dietary food option, the Department

of Corrections facility shall make accommodations for the request as soon as the Department of Corrections facility is able to provide the meals.

(c) The provisions of this Section shall not infringe upon or affect any obligation in a contract entered into and in effect on or before the effective date of this amendatory Act of the 103rd General Assembly.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect June 1, 2024.".

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

On motion of Senator Belt, **House Bill No. 476** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Belt, **House Bill No. 1497** was taken up, read by title a second time.
Committee Amendment Nos. 1 and 2 were postponed in the Committee on Executive.
Committee Amendment Nos. 3 and 4 were held in the Committee on Assignments.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 5 TO HOUSE BILL 1497

AMENDMENT NO. 5 . Amend House Bill 1497 by replacing everything after the enacting clause with the following:

"Section 5. The Automobile Renting Occupation and Use Tax Act is amended by adding Section 6 as follows:

(35 ILCS 155/6 new)

Sec. 6. Applicability. The taxes imposed by Sections 3 and 4 of this Act do not apply to any amounts paid or received for peer-to-peer car sharing, as defined in Section 5 of the Car-Sharing Program Act, or the privilege of sharing a shared vehicle through a car-sharing program, as defined in Section 5 of the Car-Sharing Program Act, if the shared vehicle owner paid applicable taxes upon the purchase of the automobile.

As used in this Section, "applicable taxes" means, with respect to vehicles purchased in Illinois, the retailers' occupation tax levied under the Retailers' Occupation Tax Act or the use tax levied under the Use Tax Act. "Applicable taxes", with respect to vehicles not purchased in Illinois, refers to the sales, use, excise, or other generally applicable tax that is due upon the purchase of a vehicle in the jurisdiction in which the vehicle was purchased.

The car-sharing program shall collect and remit any retailers' occupation tax or use tax due with respect to any proceeds from any shared vehicle upon the purchase of which applicable taxes were not paid. To fulfill this responsibility, the car-sharing program shall ask a shared vehicle owner if the shared vehicle owner paid applicable taxes at the time of purchase. Notwithstanding any law to the contrary, the car-sharing program shall have the right to rely on the shared vehicle owner's response and to be held legally harmless for such reliance.

Section 10. The Illinois Vehicle Code is amended by changing Section 6-305.2 as follows:

(625 ILCS 5/6-305.2)

Sec. 6-305.2. Limited liability for damage.

(a) Damage to private passenger vehicle. A person who rents a motor vehicle to another may hold the renter liable ~~to the extent permitted under subsections (b) through (d)~~ for physical or mechanical damage to the rented motor vehicle that occurs during the time the motor vehicle is under the rental agreement.

(b) Limits on liability due to theft for a ~~:~~ vehicle having an MSRP of $50,000 or less. For a vehicle that is stolen and that has an MSRP of $50,000 or less, the ~~The~~ total liability of the ~~a~~ renter under subsection (a) shall be the actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to $5,000; provided, however, that if it is established that the renter or authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or authorized driver committed or aided

and abetted the commission of a theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of the vehicle. ~~for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of $50,000 or less may not exceed all of the following:~~

~~(1) The lesser of:~~

~~(A) Actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or~~

~~(B) The fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and~~

~~(2) Actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to $2,000; provided, however, that if it is established that the renter or an authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or an authorized driver committed or aided and abetted the commission of the theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of that vehicle.~~

~~For purposes of this subsection (b), for the period prior to June 1, 1998, the maximum amount that may be recovered from an authorized driver shall not exceed $6,000; for the period beginning June 1, 1998 through May 31, 1999, the maximum recovery shall not exceed $7,500; and for the period beginning June 1, 1999 through May 31, 2000, the maximum recovery shall not exceed $9,000.~~ Beginning June 1, 2000, and annually each June 1 thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b) shall be increased by $500 above the maximum recovery allowed immediately prior to June 1 of that year.

(b-5) Limits on liability due to theft for a ~~:~~ vehicle having an MSRP of more than $50,000. For a vehicle that is stolen and that has an MSRP of more than $50,000, the ~~The~~ total liability of the ~~a~~ renter under subsection (a) shall be the actual and reasonable cost incurred by the loss due to theft of the rental motor vehicle up to $40,000; provided, however that if it is established that the renter or authorized driver failed to exercise ordinary care while in possession of the vehicle or that the renter or authorized driver committed or aided and abetted the commission of a theft, then the damages shall be the actual and reasonable costs of the rental vehicle up to its fair market value, as determined by the customary market for the sale of the vehicle. ~~for damage to a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than $50,000 may not exceed all of the following:~~

~~(1) the lesser of:~~

~~(A) actual and reasonable costs that the person who rents a motor vehicle to another incurred to repair the motor vehicle or that the rental company would have incurred if the motor vehicle had been repaired, which shall reflect any discounts, price reductions, or adjustments available to the rental company; or~~

~~(B) the fair market value of that motor vehicle immediately before the damage occurred, as determined in the customary market for the retail sale of that motor vehicle; and~~

~~(2) the actual and reasonable costs incurred by the loss due to theft of the rental motor vehicle up to $40,000.~~

The maximum recovery for a motor vehicle with a Manufacturer's Suggested Retail Price (MSRP) of more than $50,000 under this subsection (b-5) shall not exceed $40,000 on the effective date of this amendatory Act of the 99th General Assembly. On October 1, 2016, and for the next 3 years thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b-5) shall be increased by $2,500 above the prior year's maximum recovery. On October 1, 2020, and for each year thereafter, the maximum amount that may be recovered from an authorized driver under this subsection (b-5) shall be increased by $1,000 above the prior year's maximum recovery.

(b-10) Beginning on the effective date of this amendatory Act of the 103rd General Assembly and for 6 months after, a person who rents a motor vehicle to another shall provide notice to the renter of the motor vehicle of the changes reflected in this amendatory Act of the 103rd General Assembly. The notice shall be posted in a conspicuous and unobscured place that is separate and apart from any other information.

(c) Multiple recoveries prohibited. Any person who rents a motor vehicle to another may not hold the renter liable for any amounts that the rental company recovers from any other party.

(d) Repair estimates. A person who rents a motor vehicle to another may not collect or attempt to collect the amount described in subsection (b) or (b-5) unless the rental company obtains an estimate from a repair company or an appraiser in the business of providing such appraisals on the costs of repairing the motor vehicle, makes a copy of the estimate available upon request to the renter who may be liable under subsection (a), or the insurer of the renter, and submits a copy of the estimate with any claim to collect the amount described in subsection (b) or (b-5). In order to collect the amount described in subsection (b-5), a person renting a motor vehicle to another must also provide the renter's personal insurance company with reasonable notice and an opportunity to inspect damages.

(d-5) In the event of loss due to theft of the rental motor vehicle with a MSRP more than $50,000, the rental company shall provide reasonable notice of the theft to the renter's personal insurance company.

(e) Duty to mitigate. A claim against a renter resulting from damage or loss to a rental vehicle must be reasonably and rationally related to the actual loss incurred. A rental company shall mitigate damages where possible and shall not assert or collect any claim for physical damage which exceeds the actual costs of the repair, including all discounts or price reductions.

(f) No rental company shall require a deposit or an advance charge against the credit card of a renter, in any form, for damages to a vehicle which is in the renter's possession, custody, or control. No rental company shall require any payment for damage to the rental vehicle, upon the renter's return of the vehicle in a damaged condition, until after the cost of the damage to the vehicle and liability therefor is agreed to between the rental company and renter or is determined pursuant to law.

(g) If insurance coverage exists under the renter's personal insurance policy and the coverage is confirmed during regular business hours, the renter may require that the rental company must submit any claims to the renter's personal insurance carrier as the renter's agent. The rental company shall not make any written or oral representations that it will not present claims or negotiate with the renter's insurance carrier. For purposes of this Section, confirmation of coverage includes telephone confirmation from insurance company representatives during regular business hours. After confirmation of coverage, the amount of claim shall be resolved between the insurance carrier and the rental company.

(Source: P.A. 99-201, eff. 10-1-15.)

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

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

On motion of Senator Harmon, **House Bill No. 218** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 219** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 351** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 2509** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Plummer, **House Bill No. 1076** was taken up, read by title a second time.

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

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

HOUSE BILL RECALLED

On motion of Senator Villivalam, **House Bill No. 1342** was recalled from the order of third reading to the order of second reading.

Floor Amendment Nos. 3 and 4 were postponed in the Committee on Executive.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 5 TO HOUSE BILL 1342

AMENDMENT NO. 5 . Amend House Bill 1342, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 12, line 25, by replacing "days" with "business days"; and

on page 13, line 13, by replacing "parties" with "parties, including legal counsel,"; and

on page 13, line 18, after "accused", by inserting "or the accused's legal counsel"; and

on page 16, line 1, by replacing "January" with "July"; and

on page 16, immediately below line 4, by inserting the following:

"(c) For the purposes of determining compliance with this Section, a Service Board shall not be deemed to be in violation of this Section when failure to comply is due to:

(1) the unavailability of zero-emission buses from a manufacturer or funding to purchase zero-emission buses;

(2) the lack of necessary charging, fueling, or storage facilities or funding to procure charging, fueling, or storage facilities; or

(3) the inability of a third party to enter into a contractual or commercial relationship with a Service Board that is necessary to carry out the purposes of this Section."; and

on page 17, by replacing lines 8 through 11 with "violation is not practicable, then the Authority shall make a reasonable effort to provide notice to the individual by personal service, by mailing a copy of the notice by certified mail, return receipt requested, and first-class mail to the person's current address, or by emailing a copy of the notice to an email address on file, if available. If the"; and

on page 18, line 2, by replacing "days" with "business days"; and

on page 18, line 16, by replacing "parties" with "parties, including legal counsel,"; and

on page 18, line 21, after "accused", by inserting "or the accused's legal counsel"; and

on page 20, line 20, after "cards", by inserting "with a value of $20 per card"; and

by replacing line 26 on page 33 through line 5 on page 34 with the following:

"The Authority shall file a statement certifying that the Service Boards published the data described in subsection (b-5) with the General Assembly and the Governor after adoption of the Annual Budget and Two-Year Financial Plan required by subsection (a). If the Authority fails to file a statement certifying publication of the data, then the appropriations to the Department of Transportation for grants to the Authority intended to reimburse the Service Boards for providing free and reduced fares shall be withheld.

(b-5) For fiscal years 2024 and 2025, the Service Boards must publish a monthly".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villivalam, **House Bill No. 1342** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 50; NAYS 5.

The following voted in the affirmative:

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

The following voted in the negative:

Bryant	Harriss, E.	Turner, S.
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 in the Senate Amendments adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Ellman, **House Bill No. 2217** 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 Ellman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 2217

AMENDMENT NO. 2 . Amend House Bill 2217 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Radon Awareness Act is amended by changing Sections 5 and 20 and by adding Sections 26, 30, and 35 as follows:

(420 ILCS 46/5)

Sec. 5. Definitions. As used in this Act, unless the context otherwise requires:

~~(a)~~ "Agent" means a licensed real estate "broker" or "salesperson", as those terms are defined in Section 1-10 of the Real Estate License Act of 2000, acting on behalf of a seller or buyer of residential real property.

~~(b)~~ "Buyer" means any individual, partnership, corporation, or trustee entering into an agreement to purchase any estate or interest in real property.

"Dwelling unit" means a room or suite of rooms used for human habitation. "Dwelling unit" includes a mobile home, a single family residence, each living unit in a multiple family residence, and each living unit in a mixed use building.

~~(c)~~ "Final settlement" means the time at which the parties have signed and delivered all papers and consideration to convey title to the estate or interest in the residential real property being conveyed.

"Lease" means an oral or written agreement under which a lessor allows a tenant to use the property for a specified rent and period of time.

"Lessor" means any person or entity that leases a dwelling unit to a tenant. "Lessor" includes, but is not limited to, an individual, company, corporation, firm, group, association, partnership, joint venture, trust, government agency, or subdivision thereof.

~~(d)~~ "IEMA" means the Illinois Emergency Management Agency Division of Nuclear Safety.

~~(e)~~ "Mitigation" means measures designed to permanently reduce indoor radon concentrations according to procedures described in 32 Illinois Administrative Code Part 422.

"Mobile home" has the meaning given to that term in Section 10 of the Manufactured Home Quality Assurance Act.

"Radon" means a gaseous radioactive decay product of uranium or thorium.

"Radon contractor" means a person licensed under the Radon Industry Licensing Act to perform radon mitigation or measurement in an indoor atmosphere.

~~(f)~~ "Radon hazard" means exposure to indoor radon concentrations at or in excess of the United States Environmental Protection Agency's, or IEMA's recommended Radon Action Level.

~~(g)~~ "Radon test" means a measurement of indoor radon concentrations in accordance with 32 Illinois Administrative Code Part 422 for performing radon measurements ~~within the context of a residential real property transaction~~.

~~(h)~~ "Residential real property" means any estate or interest in a manufactured housing lot or a parcel of real property, improved with not less than one nor more than 4 residential dwelling units.

~~(i)~~ "Seller" means any individual, partnership, corporation, or trustee transferring residential real property in return for consideration.

"Tenant" means a person who has entered into an oral or written lease with a lessor to lease a dwelling unit.

(Source: P.A. 95-210, eff. 1-1-08.)

(420 ILCS 46/20)

Sec. 20. Exclusions. The provisions of this Act do not apply to the following:

(1) Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in administration of an estate, transfers between spouses resulting from a judgment of dissolution of marriage or legal separation, transfers pursuant to an order of possession, transfers by a trustee in bankruptcy, transfers by eminent domain, and transfers resulting from a decree for specific performance.

(2) Transfers from a mortgagor to a mortgagee by deed in lieu of foreclosure or consent judgment, transfer by judicial deed issued pursuant to a foreclosure sale to the successful bidder or the assignee of a certificate of sale, transfer by a collateral assignment of a beneficial interest of a land trust, or a transfer by a mortgagee or a successor in interest to the mortgagee's secured position or a beneficiary under a deed in trust who has acquired the real property by deed in lieu of foreclosure, consent judgment or judicial deed issued pursuant to a foreclosure sale.

(3) Transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust.

(4) Transfers from one co-owner to one or more other co-owners.

(5) Transfers pursuant to testate or intestate succession.

(6) Transfers made to a spouse, or to a person or persons in the lineal line of consanguinity of one or more of the sellers.

(7) Transfers from an entity that has taken title to residential real property from a seller for the purpose of assisting in the relocation of the seller, so long as the entity makes available to all prospective buyers a copy of the disclosure form furnished to the entity by the seller.

(8) Transfers to or from any governmental entity.

(9) Transfers of any residential dwelling unit located on the third story or higher above ground level of any structure or building, including, but not limited to, condominium units and dwelling units in a residential cooperative.

As used in this Section, "transfers" includes any legal transfer of possession of property, including purchases and leases.

(Source: P.A. 95-210, eff. 1-1-08; 96-278, eff. 8-11-09.)

(420 ILCS 46/26 new)

Sec. 26. Disclosure of radon hazard to current and prospective tenants.

(a) At the time of a prospective tenant's application to lease a dwelling unit, before a lease is entered into, or at any time during the leasing period, upon request, the lessor shall provide the prospective tenant or tenant of a dwelling unit with:

(1) the Illinois Emergency Management Agency pamphlet entitled "Radon Guide for Tenants" or an equivalent pamphlet approved for use by the Illinois Emergency Management Agency;

(2) copies of any records or reports pertaining to radon concentrations within the dwelling unit that indicate a radon hazard to the tenant, as provided in subsection (c); and

(3) the Disclosure of Information on Radon Hazards to Tenants form, as set forth in subsection (f).

(b) At the commencement of the agreed leasing period, a tenant shall have 90 days to conduct his or her own radon test of the dwelling unit. If the tenant chooses to have a radon test performed, the tenant shall provide the lessor with copies of the results, including any records or reports pertaining to radon concentrations, within 10 days after receiving the results of the radon test. If the tenant's radon test provides a result in excess of the Illinois Emergency Management Agency's recommended Radon Action Level and the lessor has elected to not mitigated the radon hazard, the tenant may terminate the lease.

(1) Nothing in this subsection is intended to or shall be construed to imply that a tenant is not permitted to conduct a radon test of unit following the completion of the 90-day period. Following the 90-day period the tenant may conduct further radon testing if he or she elects to; however, upon a result of a radon hazard, he or she does not have a right to terminate the lease under this Section.

(2) Nothing in this subsection is intended to or shall be construed to imply that a tenant waives any other right to terminate the lease if he or she conducts a radon test after the completion of the 90-day period under any other applicable State or federal law.

(c) If the tenant elects to conduct a radon test during the 90-day period and the results indicate a radon hazard, the lessor may hire a radon contractor to perform an additional radon test within 30 days after the tenant notifies the lessor of the results of his or her radon test. The results of a measurement by a radon contract may be used by the lessor to disprove the presence of a radon hazard. Test results are valid for a period of 2 years after the date of the testing unless any renovations, additions, or modifications are made to the building containing the dwelling unit.

(d) Nothing in this Section is intended to or shall be construed to imply an obligation of a lessor or tenant to conduct any radon testing activity or perform any radon mitigation activity.

(e) If a lessor fails to provide the prospective tenant or tenant with the documents as required in subsection (a), then, at any point during the term of the lease the tenant may elect to have a radon test conducted under this Section. If the radon test shows the existence of a radon hazard, the tenant shall provide the lessor with copies of the results of the test, including records or reports pertaining to radon concentrations, within 10 days after receiving the results of the radon test. If the lessor disputes the results of the radon test performed by the tenant, the lessor may elect, at the lessor's expense, to hire a radon contractor to perform a radon test within 30 days of the tenant notifying the lessor of the results of the tenant's radon test. The results of a measurement by a radon contract may be used by the lessor to disprove the presence of a radon hazard. Test results are valid for a period of 2 years after the date of testing unless any renovation, addition, or substantial modifications are made to the building containing the dwelling unit. If the lessor declines to dispute the results of the tenant's radon test showing a radon hazard or does not mitigate the hazard, the tenant may, within 60 days:

(1) hire, at the tenant's expense, a radon contractor to perform radon mitigation activities. If the tenant chooses to conduct mitigation activities, the mitigation activities shall only be done with express consent of the lessor; or

(2) terminate the lease.

(f) The following Disclosure of Information on Radon Hazards to Tenants shall be provided to each tenant of a dwelling unit:

"DISCLOSURE OF INFORMATION ON RADON HAZARDS TO TENANTS

Radon Warning Statement

Each tenant in this residence or dwelling unit is notified that the property may present exposure to levels of indoor radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class-A human carcinogen, is the leading cause of death in private homes and the leading cause of

lung cancer in nonsmokers. The lessor of any residence is required to provide each tenant with any information on radon test results of the dwelling unit that present a radon hazard to the tenant.

The Illinois Emergency Management Agency (IEMA) strongly recommends that ALL rental properties have a radon test performed and radon hazards mitigated if elevated levels are found in a dwelling unit or a routinely occupied area of a multiple family residence. Elevated radon concentrations can easily be reduced by a radon contractor.

Dwelling Unit Address: .....

Lessor's Disclosure (initial each of the following that apply)

.... Lessor has no knowledge of elevated radon concentrations (or records or reports pertaining to elevated radon concentrations) in the dwelling unit.

.... Radon concentrations (at or above the IEMA recommended Radon Action Level 4.0 pCi/L) are known to be present within the dwelling unit.

.... Lessor has provided the tenant with copies of all available records and reports, if any, pertaining to radon concentrations within the dwelling unit.

Tenant's Acknowledgment (initial each of the following that apply)

.... Tenant has received copies of all information listed above.

.... Tenant has received the pamphlet "Radon Guide for Tenants".

Certification of Accuracy

The following parties have reviewed the information above and each party certifies, to the best of his or her knowledge, that the information he or she provided is true and accurate.

Lessor ..... Date .....

Tenant ..... Date ....."

(g) This Section applies to leases entered into on or after the effective date of this amendatory Act of the 103rd General Assembly.

(420 ILCS 46/30 new)

Sec. 30. Mitigation of radon hazards.

(a) A lessor who decides to have radon mitigation performed shall have the radon mitigation system installed by a radon contractor.

(b) A tenant who decides to have radon mitigation performed shall have the radon mitigation system installed by a radon contractor and shall have the lessor's express consent prior to undertaking any mitigation activities. If the tenant receives express consent from the lessor, the tenant may deduct the cost of installation of the radon mitigation system from tenant's rent. This deduction shall be divided in equal parts for the remainder of the leasing period.

(c) A lessor of a dwelling unit vacated by a tenant under subsection (e) of Section 26 who has received a security deposit from a tenant to secure the payment of rent or to compensate for damage to the leased property may not withhold any part of that security deposit as compensation for radon testing or mitigation activities. However, the lessor may withhold part of the security deposit if the tenant had a mitigation system installed without the lessor's consent and the system was not properly installed by a radon contractor. An itemized statement must be provided to the tenant if any part of the security deposit is withheld.

(d) This Section applies to leases entered into on or after the effective date of this amendatory Act of the 103rd General Assembly.

(420 ILCS 46/35 new)

Sec. 35. Home rule. A home rule unit may not regulate lease agreements or tenant rights in a manner that is inconsistent with the regulation of lease agreements and tenant rights under this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(420 ILCS 46/25 rep.)

Section 10. The Illinois Radon Awareness Act is amended by repealing Section 25.".

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Ellman, **House Bill No. 2217** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 48; NAYS 7.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Stoller	Tracy
Bennett	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 in the Senate Amendment adopted thereto.

On motion of Senator Glowiak Hilton, **House Bill No. 2856** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stoller
Aquino	Fowler	Loughran Cappel	Syverson
Belt	Gillespie	Martwick	Tracy
Bennett	Glowiak Hilton	McClure	Turner, D.
Bryant	Halpin	McConchie	Turner, S.
Castro	Harris, N.	Morrison	Ventura

Cervantes	Harriss, E.	Murphy	Villa
Chesney	Hastings	Peters	Villanueva
Cunningham	Holmes	Plummer	Villivalam
Curran	Hunter	Porfirio	Wilcox
DeWitte	Johnson	Preston	Mr. President
Edly-Allen	Jones, E.	Rezin	
Ellman	Joyce	Simmons	
Faraci	Koehler	Sims	
Feigenholtz	Lewis	Stadelman	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Ventura, **House Bill No. 3779** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 45; NAYS 11.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Chesney	McConchie	Syverson
Bennett	Fowler	Plummer	Turner, S.
Bryant	Harriss, E.	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 in the Senate Amendment adopted thereto.

On motion of Senator D. Turner, **House Bill No. 3892** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 42; NAYS 11.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Chesney	McConchie	Syverson
Bennett	Fowler	Plummer	Wilcox
Bryant	Harriss, E.	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.

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **House Bill No. 3892**.

On motion of Senator N. Harris, **House Bill No. 2531** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 33; NAYS 20.

The following voted in the affirmative:

Anderson	Glowiak Hilton	Lightford	Stoller
Aquino	Harris, N.	Loughran Cappel	Turner, D.
Belt	Hastings	Martwick	Villa
Castro	Holmes	McConchie	Villanueva
Cervantes	Hunter	Murphy	Villivalam
Cunningham	Johnson	Peters	Mr. President
Edly-Allen	Jones, E.	Preston	
Ellman	Joyce	Rezin	
Faraci	Koehler	Sims	

The following voted in the negative:

Bennett	Fowler	Morrison	Ventura
Bryant	Gillespie	Plummer	Wilcox
Chesney	Halpin	Stadelman	
Curran	Harriss, E.	Syverson	
DeWitte	Lewis	Tracy	
Fine	McClure	Turner, S.	

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

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Villa, **House Bill No. 3249** was recalled from the order of third reading to the order of second reading.

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 3249

AMENDMENT NO. 3 . Amend House Bill 3249, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Public Safety Employee Benefits Act is amended by changing Section 10 as follows:
(820 ILCS 320/10)

Sec. 10. Required health coverage benefits.

(a) An employer who employs a full-time law enforcement, correctional or correctional probation officer, or firefighter, who, on or after the effective date of this Act suffers a catastrophic injury or is killed in the line of duty shall pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support or the child is a full-time or part-time student and is dependent for support. An individual whose entire premium is paid in accordance with this Section shall be offered by the employer the choice of any health insurance plan available to currently employed full-time law enforcement, correctional or correctional probation officers, or firefighters. For purposes of plans administered under the State Employee Group Insurance Act of 1971, changes in coverage may only be elected during open enrollment or following a qualifying event. The term "health insurance plan" does not include supplemental benefits that are not part of the basic group health insurance plan. If the injured employee subsequently dies, the employer shall continue to pay the entire health insurance premium for the surviving spouse until remarried and for the dependent children under the conditions established in this Section. However:

(1) Health insurance benefits payable from any other source shall reduce benefits payable under this Section.

(2) It is unlawful for a person to willfully and knowingly make, or cause to be made, or to assist, conspire with, or urge another to make, or cause to be made, any false, fraudulent, or misleading oral or written statement to obtain health insurance coverage as provided under this Section. A violation of this item is a Class A misdemeanor.

(3) Upon conviction for a violation described in item (2), a law enforcement, correctional or correctional probation officer, or other beneficiary who receives or seeks to receive health insurance benefits under this Section shall forfeit the right to receive health insurance benefits and shall reimburse the employer for all benefits paid due to the fraud or other prohibited activity. For purposes of this item, "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld.

(b) In order for the law enforcement, correctional or correctional probation officer, firefighter, spouse, or dependent children to be eligible for insurance coverage under this Act, the injury or death must have occurred as the result of the officer's response to fresh pursuit, the officer or firefighter's response to what is reasonably believed to be an emergency, an unlawful act perpetrated by another, or during the investigation of a criminal act. Nothing in this Section shall be construed to limit health insurance coverage or pension benefits for which the officer, firefighter, spouse, or dependent children may otherwise be eligible.
(Source: P.A. 90-535, eff. 11-14-97.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villa, **House Bill No. 3249** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 51; NAYS None; Present 2.

The following voted in the affirmative:

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

The following voted present:

Anderson
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 in the Senate Amendments adopted thereto.

At the hour of 7:16 o'clock p.m., the Honorable Don Harmon, President of the Senate, presiding.

HOUSE BILL RECALLED

On motion of Senator Johnson, **House Bill No. 3856** 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. 1 TO HOUSE BILL 3856

AMENDMENT NO. 1 . Amend House Bill 3856 as follows:

on page 1, immediately below line 3, by inserting the following:

"ARTICLE 1."; and

on page 1, line 4, by replacing "Section 5" with "Section 1-5"; and

on page 6, line 5, by replacing "Section 10" with "Section 1-10"; and

on page 6, line 7, by replacing "Section 15" with "Section 1-15"; and

on page 9, line 13, by replacing "Section 20" with "Section 1-20"; and

on page 12, line 23, by replacing "Section 25" with "Section 1-25"; and

on page 14, line 9, by replacing "Section 30" with "Section 1-30"; and

on page 16, line 4, by replacing "Section 35" with "Section 1-35"; and

on page 16, line 7, by replacing "Section 40" with "Section 1-40"; and

on page 21, line 8, by replacing "Section 45" with "Section 1-45"; and

on page 21, line 10, by replacing "Section 50" with "Section 1-50"; and

on page 22, line 13, by replacing "Section 55" with "Section 1-55"; and

on page 29, line 11, by replacing "Section 60" with "Section 1-60"; and

on page 29, line 14, by replacing "Section 65" with "Section 1-65"; and

on page 29, line 16, by replacing "Section 70" with "Section 1-70"; and

on page 31, line 4, by replacing "Section 75" with "Section 1-75"; and

on page 32, line 8, by replacing "Section 80" with "Section 1-80"; and

on page 33, line 16, by replacing "Section 85" with "Section 1-85"; and

on page 35, line 9, by replacing "Section 90" with "Section 1-90"; and

on page 37, line 11, by replacing "Section 95" with "Section 1-95"; and

on page 47, line 14, by replacing "Section 100" with "Section 1-100"; and

on page 54, immediately below line 18, by inserting the following:

"ARTICLE 2.

(20 ILCS 605/605-550 rep.)
(20 ILCS 605/605-332 rep.)

Section 2-10. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by repealing Section 605-332 and 605-550.

(30 ILCS 105/5h rep.)
(30 ILCS 105/5.543 rep.)
(30 ILCS 105/6z-54 rep.)

Section 2-15. The State Finance Act is amended by repealing Sections 5h, 5.543, and 6z-54.

Section 2-25. The Illinois Procurement Code is amended by changing Section 25-55 as follows:

(30 ILCS 500/25-55)

Sec. 25-55. Annual reports. Every printed annual report produced by a State agency shall bear a statement indicating whether it was printed by the State of Illinois or by contract and indicating the printing cost per copy and the number of copies printed. ~~The Department of Central Management Services shall prepare and submit to the General Assembly on the fourth Wednesday of January in each year a report setting forth with respect to each State agency for the calendar year immediately preceding the calendar year~~

~~in which the report is filed the total quantity of annual reports printed, the total cost, and the cost per copy and the cost per page of the annual report of the State agency printed during the calendar year covered by the report.~~

(Source: P.A. 90-572, eff. date - See Sec. 99-5.)

Section 2-30. The Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. When determining the discount allowed under this Section, retailers shall include the amount of tax that would have been due at the 6.25% rate but for the 1.25% rate imposed on sales tax holiday items under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. When determining the discount allowed under this Section, retailers shall include the amount of tax that would have been due at the 1% rate but for the 0% rate imposed under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require. The return shall include the gross receipts on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) which were received during the preceding calendar month, quarter, or year, as appropriate, and upon which tax would have been due but for the 0% rate imposed under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~. The return shall also include the amount of tax that would have been due on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) but for the 0% rate imposed under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~.

On and after January 1, 2018, except for returns required to be filed prior to January 1, 2023 for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, with respect to retailers whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. On and after January 1, 2023, with respect to retailers whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act, including, but not limited to, returns for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, shall be filed electronically. Retailers 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 may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;

3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due;

5-5. The signature of the taxpayer; and

6. Such other reasonable information as the Department may require.

Each retailer required or authorized to collect the tax imposed by this Act on aviation fuel sold at retail in this State during the preceding calendar month shall, instead of reporting and paying tax on aviation fuel as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, retailers collecting tax on aviation fuel shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Notwithstanding any other provision of this Act to the contrary, retailers subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax

liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. Quarter monthly payment status shall be determined under this paragraph as if the rate reduction to 1.25% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ on sales tax holiday items had not occurred. For quarter monthly payments due on or after July 1, 2023 and through June 30, 2024, "25% of the taxpayer's liability for the same calendar month of the preceding year" shall be determined as if the rate reduction to 1.25% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ on sales tax holiday items had not occurred. Quarter monthly payment status shall be determined under this paragraph as if the rate reduction to 0% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) had not occurred. For quarter monthly payments due under this paragraph on or after July 1, 2023 and through June 30, 2024, "25% of the taxpayer's liability for the same calendar month of the preceding year" shall be determined as if the rate reduction to 0% in Public Act 102-700 ~~this amendatory Act of the 102nd~~

~~General Assembly~~ had not occurred. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, except as otherwise provided in this Section, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every person who is engaged in the business of leasing or renting such items and who, in connection with such business, sells any such item to a retailer for the purpose of resale is, notwithstanding any other provision of this Section to the contrary, authorized to meet the

return-filing requirement of this Act by reporting the transfer of all the aircraft, watercraft, motor vehicles, or trailers transferred for resale during a month to the Department on the same uniform invoice-transaction reporting return form on or before the 20th of the month following the month in which the transfer takes place. Notwithstanding any other provision of this Act to the contrary, all returns filed under this paragraph must be filed by electronic means in the manner and form as required by the Department.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than (i) tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government and (ii) aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuels Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. If, in any month, the tax on sales tax holiday items, as defined in Section 3-6, is imposed at the rate of 1.25%, then the Department shall pay 100% of the net revenue realized for that month from the 1.25% rate on the selling price of sales tax holiday items into the State and Local Sales Tax Reform Fund.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act Permit Fund under this Act and the Retailers' Occupation Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, each month the Department shall deposit $500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036 and each fiscal year thereafter that bonds are outstanding under	450,000,000

Section 13.2 of the
Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Clean Air Act Permit Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

~~Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.~~

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and

Transit Infrastructure Fund are subject to the pledge, claim, and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year	Total Deposit
2024	$200,000,000
2025	$206,000,000
2026	$212,200,000
2027	$218,500,000
2028	$225,100,000
2029	$288,700,000
2030	$298,900,000
2031	$309,300,000
2032	$320,100,000
2033	$331,200,000
2034	$341,200,000
2035	$351,400,000
2036	$361,900,000
2037	$372,800,000
2038	$384,000,000
2039	$395,500,000
2040	$407,400,000
2041	$419,600,000
2042	$432,200,000
2043	$445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2025, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2025, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. As used in this paragraph "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the meaning given to that term in Section 3-40 of this Act.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.
(Source: P.A. 101-10, Article 15, Section 15-10, eff. 6-5-19; 101-10, Article 25, Section 25-105, eff. 6-5-19; 101-27, eff. 6-25-19; 101-32, eff. 6-28-19; 101-604, eff. 12-13-19; 101-636, eff. 6-10-20; 102-700, Article 60, Section 60-15, eff. 4-19-22; 102-700, Article 65, Section 65-5, eff. 4-19-22; 102-1019, eff. 1-1-23; revised 12-13-22.)

Section 2-40. The Service Use Tax Act is amended by changing Section 9 as follows:
(35 ILCS 110/9) (from Ch. 120, par. 439.39)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. When determining the discount allowed under this Section, servicemen shall include the amount of tax that would have been due at the 1% rate but for the 0% rate imposed under this amendatory Act of the 102nd General Assembly. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A serviceman need not remit that part of any tax collected by him to the extent that he is required to pay and does pay the tax imposed by the Service Occupation Tax Act with respect to his sale of service involving the incidental transfer by him of the same property.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable Rules and Regulations to be promulgated by the Department. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require. The return shall include the gross receipts which were received during the preceding calendar month or quarter on the following items upon which tax would have been due but for the 0% rate imposed under this amendatory Act of the 102nd General Assembly: (i) food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption); and (ii) food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the ID/DD Community Care Act, the MC/DD Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act. The return shall also include the amount of tax that would have been due on the items listed in the previous sentence but for the 0% rate imposed under this amendatory Act of the 102nd General Assembly.

On and after January 1, 2018, with respect to servicemen whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. Servicemen 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 may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of

such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

2. The address of the principal place of business from which he engages in business as a serviceman in this State;

3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due;

5-5. The signature of the taxpayer; and

6. Such other reasonable information as the Department may require.

Each serviceman required or authorized to collect the tax imposed by this Act on aviation fuel transferred as an incident of a sale of service in this State during the preceding calendar month shall, instead of reporting and paying tax on aviation fuel as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, servicemen collecting tax on aviation fuel shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Notwithstanding any other provision of this Act to the contrary, servicemen subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

If the serviceman is otherwise required to file a monthly return and if the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such

year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman is otherwise required to file a monthly or quarterly return and if the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where a serviceman collects the tax with respect to the selling price of property which he sells and the purchaser thereafter returns such property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Use Tax, Service Occupation Tax, retailers' occupation tax or use tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

Any serviceman filing a return hereunder shall also include the total tax upon the selling price of tangible personal property purchased for use by him as an incident to a sale of service, and such serviceman shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Service Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registration hereunder, such serviceman shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Tax Reform Fund, a special fund in the State Treasury, the net revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property, other than (i) tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government and (ii) aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuel Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under the Use Tax Act, this Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, each month the Department shall deposit $500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the

Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036 and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.	450,000,000

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Clean Air Act Permit Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

~~Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25 year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.~~

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~and the Energy Infrastructure Fund~~ pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim, and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year	Total Deposit
2024	$200,000,000
2025	$206,000,000
2026	$212,200,000
2027	$218,500,000
2028	$225,100,000
2029	$288,700,000
2030	$298,900,000
2031	$309,300,000
2032	$320,100,000
2033	$331,200,000
2034	$341,200,000
2035	$351,400,000
2036	$361,900,000
2037	$372,800,000
2038	$384,000,000
2039	$395,500,000
2040	$407,400,000
2041	$419,600,000
2042	$432,200,000
2043	$445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, ~~the Illinois Tax Increment Fund,~~ the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2025, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2025, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. As used in this paragraph "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the meaning given to that term in Section 3-40 of the Use Tax Act.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this

Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

(Source: P.A. 101-10, Article 15, Section 15-15, eff. 6-5-19; 101-10, Article 25, Section 25-110, eff. 6-5-19; 101-27, eff. 6-25-19; 101-32, eff. 6-28-19; 101-604, eff. 12-13-19; 101-636, eff. 6-10-20; 102-700, eff. 4-19-22.)

Section 2-50. The Service Occupation Tax Act is amended by changing Section 9 as follows:

(35 ILCS 115/9) (from Ch. 120, par. 439.109)

Sec. 9. Each serviceman required or authorized to collect the tax herein imposed shall pay to the Department the amount of such tax at the time when he is required to file his return for the period during which such tax was collectible, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the serviceman for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. When determining the discount allowed under this Section, servicemen shall include the amount of tax that would have been due at the 1% rate but for the 0% rate imposed under this amendatory Act of the 102nd General Assembly. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for servicemen whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the serviceman, in collecting the tax may collect, for each tax return period, only the tax applicable to the part of the selling price actually received during such tax return period.

Except as provided hereinafter in this Section, on or before the twentieth day of each calendar month, such serviceman shall file a return for the preceding calendar month in accordance with reasonable rules and regulations to be promulgated by the Department of Revenue. Such return shall be filed on a form prescribed by the Department and shall contain such information as the Department may reasonably require. The return shall include the gross receipts which were received during the preceding calendar month or quarter on the following items upon which tax would have been due but for the 0% rate imposed under this amendatory Act of the 102nd General Assembly: (i) food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption); and (ii) food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Use Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the ID/DD Community Care Act, the MC/DD Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act. The return shall also include the amount of tax that would have been due on the items listed in the previous sentence but for the 0% rate imposed under this amendatory Act of the 102nd General Assembly.

On and after January 1, 2018, with respect to servicemen whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. Servicemen 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 may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

2. The address of the principal place of business from which he engages in business as a serviceman in this State;

3. The total amount of taxable receipts received by him during the preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due;

5-5. The signature of the taxpayer; and

6. Such other reasonable information as the Department may require.

Each serviceman required or authorized to collect the tax herein imposed on aviation fuel acquired as an incident to the purchase of a service in this State during the preceding calendar month shall, instead of reporting and paying tax as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, servicemen transferring aviation fuel incident to sales of service shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Notwithstanding any other provision of this Act to the contrary, servicemen subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Prior to October 1, 2003, and on and after September 1, 2004 a serviceman may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Service Use Tax as provided in Section 3-70 of the Service Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-70 of the Service Use Tax Act. A Manufacturer's Purchase Credit certification, accepted prior to October 1, 2003 or on or after September 1, 2004 by a serviceman as provided in Section 3-70 of the Service Use Tax Act, may be used by that serviceman to satisfy Service Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

If the serviceman's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the serviceman's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a serviceman may file his return, in the case of any serviceman who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such serviceman shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the

taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Where a serviceman collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the serviceman refunds the selling price thereof to the purchaser, such serviceman shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the serviceman may deduct the amount of the tax so refunded by him to the purchaser from any other Service Occupation Tax, Service Use Tax, Retailers' Occupation Tax or Use Tax which such serviceman may be required to pay or remit to the Department, as shown by such return, provided that the amount of the tax to be deducted shall previously have been remitted to the Department by such serviceman. If the serviceman shall not previously have remitted the amount of such tax to the Department, he shall be entitled to no deduction hereunder upon refunding such tax to the purchaser.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable servicemen, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, the Use Tax Act or the Service Use Tax Act, to furnish all the return information required by all said Acts on the one form.

Where the serviceman has more than one business registered with the Department under separate registrations hereunder, such serviceman shall file separate returns for each registered business.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund the revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the revenue realized for the preceding month from the 6.25% general rate on sales of tangible personal property other than aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the revenue realized for the preceding month from the 6.25% general rate on transfers of tangible personal property other than aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuel Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Retailers' Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, this Act, and the Retailers' Occupation Tax Act, each month the Department shall deposit $500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount

requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036 and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the	450,000,000

Metropolitan Pier and
Exposition Authority Act,
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

~~Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25 year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605 332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.~~

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, and the Illinois Tax Increment Fund~~, and the Energy Infrastructure Fund~~ pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic

build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year	Total Deposit
2024	$200,000,000
2025	$206,000,000
2026	$212,200,000
2027	$218,500,000
2028	$225,100,000
2029	$288,700,000
2030	$298,900,000
2031	$309,300,000
2032	$320,100,000
2033	$331,200,000
2034	$341,200,000
2035	$351,400,000
2036	$361,900,000
2037	$372,800,000
2038	$384,000,000
2039	$395,500,000
2040	$407,400,000
2041	$419,600,000
2042	$432,200,000
2043	$445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2025, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2025, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. As used in this paragraph "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the meaning given to that term in Section 3-40 of the Use Tax Act.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% shall be paid into the General Revenue Fund of the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the taxpayer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the taxpayer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The taxpayer's annual return to the Department shall also disclose the cost of goods sold by the taxpayer during the year covered by such return, opening and closing inventories of such goods for such year, cost of goods used from stock or taken from stock and given away by the taxpayer during such year, pay roll information of the taxpayer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such taxpayer as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to a serviceman who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, it shall be permissible for manufacturers, importers and wholesalers whose products are sold by numerous servicemen in Illinois, and who wish to do so, to assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the servicemen who are affected do not make written objection to the Department to this arrangement.

(Source: P.A. 101-10, Article 15, Section 15-20, eff. 6-5-19; 101-10, Article 25, Section 25-115, eff. 6-5-19; 101-27, eff. 6-25-19; 101-32, eff. 6-28-19; 101-604, eff. 12-13-19; 101-636, eff. 6-10-20; 102-700, eff. 4-19-22.)

Section 2-55. The Retailers' Occupation Tax Act is amended by changing Section 3 as follows:

(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;

2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;

3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;

4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;

5. Deductions allowed by law;

6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed, including gross receipts on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) which were received during the preceding calendar month or quarter and upon which tax would have been due but for the 0% rate imposed under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~;

7. The amount of credit provided in Section 2d of this Act;

8. The amount of tax due, including the amount of tax that would have been due on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) but for the 0% rate imposed under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~;

9. The signature of the taxpayer; and

10. Such other reasonable information as the Department may require.

On and after January 1, 2018, except for returns required to be filed prior to January 1, 2023 for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, with respect to retailers whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. On and after January 1, 2023, with respect to retailers whose annual gross receipts average $20,000 or more, all returns required to be filed pursuant to this Act, including, but not limited to, returns for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, shall be filed electronically. Retailers 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.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;

2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;

3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;

4. The amount of credit provided in Section 2d of this Act;

5. The amount of tax due; and

6. Such other reasonable information as the Department may require.

Every person engaged in the business of selling aviation fuel at retail in this State during the preceding calendar month shall, instead of reporting and paying tax as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, retailers selling aviation fuel shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than $1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to $1 if it is 50 cents or more.

Notwithstanding any other provision of this Act to the contrary, retailers subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of $150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of $100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of $50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of $200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, except as otherwise provided in this Section, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every person who is engaged in the business of leasing or renting such items and who, in connection with such business, sells any such item to a retailer for the purpose of resale is, notwithstanding any other provision of this Section to the contrary, authorized to meet the return-filing requirement of this Act by reporting the transfer of all the aircraft, watercraft, motor vehicles, or trailers transferred for resale during a month to the Department on the same uniform invoice-transaction reporting return form on or before the 20th of the month following the month in which the transfer takes place. Notwithstanding any other provision of this Act to the contrary, all returns filed under this paragraph must be filed by electronic means in the manner and form as required by the Department.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or

quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale

of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or $5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. On and after January 1, 2021, a certified service provider, as defined in the Leveling the Playing Field for Illinois Retail Act, filing the return under this Section on behalf of a remote retailer shall, at the time of such return, pay to the Department the amount of tax imposed by this Act less a discount of 1.75%. A remote retailer using a certified service provider to file a return on its behalf, as provided in the Leveling the Playing Field for Illinois Retail Act, is not eligible for the discount. When determining the discount allowed under this Section, retailers shall include the amount of tax that would have been due at the 1% rate but for the 0% rate imposed under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~. When determining the discount allowed under this Section, retailers shall include the amount of tax that would have been due at the 6.25% rate but for the 1.25% rate imposed on sales tax holiday items under Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was $20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the

taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of $20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than $20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the $20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. Quarter monthly payment status shall be determined under this paragraph as if the rate reduction to 0% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) had not occurred. For quarter monthly payments due under this paragraph on or after July 1, 2023 and through June 30, 2024, "25% of the taxpayer's liability for the same calendar month of the preceding year" shall be determined as if the rate reduction to 0% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ had not occurred. Quarter monthly payment status shall be determined under this paragraph as if the rate reduction to 1.25% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ on sales tax holiday items had not occurred. For quarter monthly payments due on or after July 1, 2023 and through June 30, 2024, "25% of the taxpayer's liability for the same calendar month of the preceding year" shall be determined as if the rate reduction to 1.25% in Public Act 102-700 ~~this amendatory Act of the 102nd General Assembly~~ on sales tax holiday items had not occurred. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of $25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to September 1, 1985 (the effective date of Public Act 84-221), each payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's

liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is $25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of $20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than $19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than $20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month for which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate other than aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. If, in any month, the tax on sales tax holiday items, as defined in Section 2-8, is imposed at the rate of 1.25%, then the Department shall pay 20% of the net revenue realized for that

month from the 1.25% rate on the selling price of sales tax holiday items into the County and Mass Transit District Fund.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property other than aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuel Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. If, in any month, the tax on sales tax holiday items, as defined in Section 2-8, is imposed at the rate of 1.25%, then the Department shall pay 80% of the net revenue realized for that month from the 1.25% rate on the selling price of sales tax holiday items into the Local Government Tax Fund.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act Permit Fund under this Act and the Use Tax Act shall not exceed $2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act shall not exceed $18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, each month the Department shall deposit $500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

Fiscal Year	Annual Specified Amount
1986	$54,800,000
1987	$76,650,000
1988	$80,480,000

1989	$88,510,000
1990	$115,330,000
1991	$145,470,000
1992	$182,730,000
1993	$206,520,000;

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000

2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036	450,000,000
and each fiscal year thereafter that bonds are outstanding under Section 13.2 of the Metropolitan Pier and Exposition Authority Act, but not after fiscal year 2060.	

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Clean Air Act Permit Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the

Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

~~Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.~~

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, and the Illinois Tax Increment Fund~~, and the Energy Infrastructure Fund~~ pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year	Total Deposit
2024	$200,000,000
2025	$206,000,000
2026	$212,200,000
2027	$218,500,000
2028	$225,100,000
2029	$288,700,000
2030	$298,900,000
2031	$309,300,000
2032	$320,100,000
2033	$331,200,000
2034	$341,200,000
2035	$351,400,000
2036	$361,900,000
2037	$372,800,000
2038	$384,000,000
2039	$395,500,000
2040	$407,400,000

2041 ..... $419,600,000
2042 ..... $432,200,000
2043 ..... $445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2025, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2025, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, ~~the Energy Infrastructure Fund,~~ and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. As used in this paragraph "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Law, and "gasohol" has the meaning given to that term in Section 3-40 of the Use Tax Act.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State treasury ~~Treasury~~ and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

(i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed $250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 101-10, Article 15, Section 15-25, eff. 6-5-19; 101-10, Article 25, Section 25-120, eff. 6-5-19; 101-27, eff. 6-25-19; 101-32, eff. 6-28-19; 101-604, eff. 12-13-19; 101-636, eff. 6-10-20; 102-634, eff. 8-27-21; 102-700, Article 60, Section 60-30, eff. 4-19-22; 102-700, Article 65, Section 65-10, eff. 4-19-22; 102-813, eff. 5-13-22; 102-1019, eff. 1-1-23; revised 12-13-22.)

Section 2-60. The Southwestern Illinois Metropolitan and Regional Planning Act is amended by changing Section 35 as follows:

(70 ILCS 1710/35) (from Ch. 85, par. 1185)

Sec. 35. At the close of each fiscal year, the Commission shall prepare a complete report of its receipts and expenditures during the fiscal year. A copy of this report shall be filed with the Governor and with the treasurer of each county included in the Metropolitan and Regional Counties Area. In addition, on or before December 31 of each even numbered year, the Commission shall prepare ~~jointly with the Department of Commerce and Economic Opportunity,~~ a report of its activities during the biennium indicating how its funds were expended, indicating the amount of the appropriation requested for the next biennium and explaining how the appropriation will be utilized to carry out its responsibilities. A copy of this report shall be filed with the Governor, the Senate and the House of Representatives.

(Source: P.A. 94-793, eff. 5-19-06.)

(730 ILCS 5/3-5-3 rep.)
(730 ILCS 5/5-8-1.3 rep.)
Section 2-70. The Unified Code of Corrections is amended by repealing Sections 3-5-3 and 5-8-1.3.

Section 2-75. The Workers' Compensation Act is amended by changing Section 18.1 as follows:
(820 ILCS 305/18.1)
Sec. 18.1. Claims by former and current employees of the Commission. All claims by current and former employees and appointees of the Commission shall be assigned to a certified independent arbitrator not employed by the Commission designated by the Chairman. In preparing the roster of approved certified independent arbitrators, the Chairman shall seek the advice and recommendation of the Commission or the Workers' Compensation Advisory Board at his or her discretion. ~~The Chairman shall designate an arbitrator from a list of approved certified arbitrators provided by the Commission Review Board.~~ If the Chairman is the claimant, then the independent arbitrator from the approved list shall be designated by the longest serving Commissioner. The designated independent arbitrator shall have the authority of arbitrators of the Commission regarding settlement and adjudication of the claim of the current and former employees and appointees of the Commission. The decision of the independent arbitrator shall become the decision of the Commission. An appeal of the independent arbitrator's decision shall be subject to judicial review in accordance with subsection (f) of Section 19.
(Source: P.A. 97-18, eff. 6-28-11.)

(820 ILCS 305/14.1 rep.)
Section 2-80. The Workers' Compensation Act is amended by repealing Section 14.1.

ARTICLE 3.

Section 3-5. The Department of Agriculture Law of the Civil Administrative Code of Illinois is amended by changing Section 205-40 as follows:
(20 ILCS 205/205-40) (was 20 ILCS 205/40.31)
Sec. 205-40. Export consulting service and standards. The Department and, upon request, the ~~in cooperation with the~~ Department of Commerce and Economic Opportunity, shall (1) provide a consulting service to those who desire to export farm products, commodities, and supplies and guide them in their efforts to improve trade relations; (2) cooperate with agencies and instrumentalities of the federal government to develop export grade standards for farm products, commodities, and supplies produced in Illinois and adopt reasonable rules and regulations to ensure that exports of those products, commodities, and supplies comply with those standards; (3) upon request and after inspection of any such farm product, commodity, or supplies, certify compliance or noncompliance with those standards; (4) provide an informational program to existing and potential foreign importers of farm products, commodities, and supplies; (5) qualify for U. S. Department of Agriculture matching funds for overseas promotion of farm products, commodities, and supplies according to the federal requirements regarding State expenditures that are eligible for matching funds; and (6) provide a consulting service to persons who desire to export processed or value-added agricultural products and assist those persons in ascertaining legal and regulatory restrictions and market preferences that affect the sale of value-added agricultural products in foreign markets.
(Source: P.A. 100-110, eff. 8-15-17.)

(20 ILCS 605/605-820 rep.)
Section 3-10. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by repealing Section 605-820.

(20 ILCS 630/3 rep.)
(20 ILCS 630/5 rep.)
Section 3-22. The Illinois Emergency Employment Development Act is amended by repealing Sections 3 and 5.

Section 3-25. The Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 is amended by changing Section 6-6 as follows:

(20 ILCS 687/6-6)

(Section scheduled to be repealed on December 31, 2025)

Sec. 6-6. Energy efficiency program.

(a) For the year beginning January 1, 1998, and thereafter as provided in this Section, each electric utility as defined in Section 3-105 of the Public Utilities Act and each alternative retail electric supplier as defined in Section 16-102 of the Public Utilities Act supplying electric power and energy to retail customers located in the State of Illinois shall contribute annually a pro rata share of a total amount of $3,000,000 based upon the number of kilowatt-hours sold by each such entity in the 12 months preceding the year of contribution. On or before May 1 of each year, the Illinois Commerce Commission shall determine and notify the Agency of the pro rata share owed by each electric utility and each alternative retail electric supplier based upon information supplied annually to the Illinois Commerce Commission. On or before June 1 of each year, the Agency shall send written notification to each electric utility and each alternative retail electric supplier of the amount of pro rata share they owe. These contributions shall be remitted to the Illinois Environmental Protection Agency ~~Department of Revenue~~ on or before June 30 of each year the contribution is due on a return prescribed and furnished by the Illinois Environmental Protection Agency ~~Department of Revenue~~ showing such information as the Illinois Environmental Protection Agency ~~Department of Revenue~~ may reasonably require. The funds received pursuant to this Section shall be subject to the appropriation of funds by the General Assembly. The Illinois Environmental Protection Agency ~~Department of Revenue~~ shall place the funds remitted under this Section in a trust fund, that is hereby created in the State Treasury, called the Energy Efficiency Trust Fund. If an electric utility or alternative retail electric supplier does not remit its pro rata share to the Illinois Environmental Protection Agency ~~Department of Revenue~~, the Illinois Environmental Protection Agency ~~Department of Revenue~~ must inform the Illinois Commerce Commission of such failure. The Illinois Commerce Commission may then revoke the certification of that electric utility or alternative retail electric supplier. The Illinois Commerce Commission may not renew the certification of any electric utility or alternative retail electric supplier that is delinquent in paying its pro rata share. These changes made to this subsection (a) by this amendatory Act of the 103rd General Assembly apply beginning July 1, 2023.

(b) The Agency shall disburse the moneys in the Energy Efficiency Trust Fund to benefit residential electric customers through projects which the Agency has determined will promote energy efficiency in the State of Illinois. The Department of Commerce and Economic Opportunity shall establish a list of projects eligible for grants from the Energy Efficiency Trust Fund including, but not limited to, supporting energy efficiency efforts for low-income households, replacing energy inefficient windows with more efficient windows, replacing energy inefficient appliances with more efficient appliances, replacing energy inefficient lighting with more efficient lighting, insulating dwellings and buildings, using market incentives to encourage energy efficiency, and such other projects which will increase energy efficiency in homes and rental properties.

(c) The Agency may, by administrative rule, establish criteria and an application process for this grant program.

(d) (Blank).

(e) (Blank).

(Source: P.A. 102-444, eff. 8-20-21.)

(20 ILCS 3934/Act rep.)

Section 3-55. The Electronic Health Records Taskforce Act is repealed.

Section 3-60. The Green Governments Illinois Act is amended by changing Section 15 as follows:

(20 ILCS 3954/15)

Sec. 15.Council membership and administrative support. Representatives from various State agencies and State universities with specific fiscal, procurement, educational, and environmental policy expertise shall comprise the Council. Until the effective date of this amendatory Act of the 97th General Assembly, the Lieutenant Governor is the chair of the Council. On and after the effective date of this amendatory Act of the 97th General Assembly, the Governor is the chair of the Council, and the Lieutenant Governor, or his or her designee, shall be a member of the council. The director or President, respectively, of each of the following State agencies and State universities, or his or her designee, is a member of the Council: ~~the~~

~~Department of Commerce and Economic Opportunity,~~ the Environmental Protection Agency, the University of Illinois, the Department of Natural Resources, the Department of Central Management Services, the Governor's Office of Management and Budget, the Department of Agriculture, the Department of Transportation, the Department of Corrections, the Department of Human Services, the Department of Public Health, the State Board of Education, the Board of Higher Education, and the Capital Development Board.

The Office of the Governor shall provide administrative support to the Council. A minimum of one staff position in the Office of the Governor shall be dedicated to the Green Governments Illinois program. (Source: P.A. 97-573, eff. 8-25-11; 98-346, eff. 8-14-13.)

(30 ILCS 105/5.914 rep.)

Section 3-63. The State Finance Act is amended by repealing Section 5.914.

Section 3-65. The State Finance Act is amended by changing Sections 5k and 6z-75 as follows:

(30 ILCS 105/5k)

Sec. 5k. Cash flow borrowing and general funds liquidity; FY15.

(a) In order to meet cash flow deficits and to maintain liquidity in the General Revenue Fund and the Health Insurance Reserve Fund, on and after July 1, 2014 and through June 30, 2015, the State Treasurer and the State Comptroller shall make transfers to the General Revenue Fund and the Health Insurance Reserve Fund, as directed by the Governor, out of special funds of the State, to the extent allowed by federal law. No such transfer may reduce the cumulative balance of all of the special funds of the State to an amount less than the total debt service payable during the 12 months immediately following the date of the transfer on any bonded indebtedness of the State and any certificates issued under the Short Term Borrowing Act. At no time shall the outstanding total transfers made from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund under this Section exceed $650,000,000; once the amount of $650,000,000 has been transferred from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund, additional transfers may be made from the special funds of the State to the General Revenue Fund and the Health Insurance Reserve Fund under this Section only to the extent that moneys have first been re-transferred from the General Revenue Fund and the Health Insurance Reserve Fund to those special funds of the State. Notwithstanding any other provision of this Section, no such transfer may be made from any special fund that is exclusively collected by or appropriated to any other constitutional officer without the written approval of that constitutional officer.

(b) If moneys have been transferred to the General Revenue Fund and the Health Insurance Reserve Fund pursuant to subsection (a) of this Section, this amendatory Act of the 98th General Assembly shall constitute the continuing authority for and direction to the State Treasurer and State Comptroller to reimburse the funds of origin from the General Revenue Fund by transferring to the funds of origin, at such times and in such amounts as directed by the Governor when necessary to support appropriated expenditures from the funds, an amount equal to that transferred from them plus any interest that would have accrued thereon had the transfer not occurred. When any of the funds from which moneys have been transferred pursuant to subsection (a) have insufficient cash from which the State Comptroller may make expenditures properly supported by appropriations from the fund, then the State Treasurer and State Comptroller shall transfer from the General Revenue Fund to the fund only such amount as is immediately necessary to satisfy outstanding expenditure obligations on a timely basis.

(c) On the first day of each ~~quarterly period in each~~ fiscal year, until such time as a report indicates that all moneys borrowed and interest pursuant to this Section have been repaid, the Governor's Office of Management and Budget shall provide to the President and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, and the Commission on Government Forecasting and Accountability a report on all transfers made pursuant to this Section in the prior fiscal year ~~quarterly period~~. The report must be provided in electronic format. The report must include all of the following:

(1) The date each transfer was made.

(2) The amount of each transfer.

(3) In the case of a transfer from the General Revenue Fund to a fund of origin pursuant to subsection (b) of this Section, the amount of interest being paid to the fund of origin.

(4) The end of day balance of the fund of origin, the General Revenue Fund and the Health Insurance Reserve Fund on the date the transfer was made.

(Source: P.A. 98-682, eff. 6-30-14; 99-523, eff. 6-30-16.)

(30 ILCS 105/6z-75)

Sec. 6z-75. The Illinois Power Agency Trust Fund.

(a) Creation. The Illinois Power Agency Trust Fund is created as a special fund in the State treasury. The State Treasurer shall be the custodian of the Fund. Amounts in the Fund, both principal and interest not appropriated, shall be invested as provided by law.

(b) Funding and investment.

(1) The Illinois Power Agency Trust Fund may accept, receive, and administer any grants, loans, or other funds made available to it by any source. Any such funds received by the Fund shall not be considered income, but shall be added to the principal of the Fund.

(2) The investments of the Fund shall be managed by the Illinois State Board of Investment, for the purpose of obtaining a total return on investments for the long term, as provided for under Article 22A of the Illinois Pension Code.

(c) Investment proceeds. Subject to the provisions of subsection (d) of this Section, the General Assembly may annually appropriate from ~~the Illinois Power Agency Trust Fund to~~ the Illinois Power Agency Operations Fund an amount calculated not to exceed 90% of the prior fiscal year's annual investment income earned by the Illinois Power Agency Trust Fund to the Illinois Power Agency. Any investment income not appropriated by the General Assembly in a given fiscal year shall be added to the principal of the Fund, and thereafter considered a part thereof and not subject to appropriation as income earned by the Fund.

(d) Expenditures.

(1) During Fiscal Year 2008 and Fiscal Year 2009, the General Assembly shall not appropriate any of the investment income earned by the Illinois Power Agency Trust Fund to the Illinois Power Agency.

(2) During Fiscal Year 2010 and Fiscal Year 2011, the General Assembly shall appropriate a portion of the investment income earned by the Illinois Power Agency Trust Fund to repay to the General Revenue Fund of the State of Illinois those amounts, if any, appropriated from the General Revenue Fund for the operation of the Illinois Power Agency during Fiscal Year 2008 and Fiscal Year 2009, so that at the end of Fiscal Year 2011, the entire amount, if any, appropriated from the General Revenue Fund for the operation of the Illinois Power Agency during Fiscal Year 2008 and Fiscal Year 2009 will be repaid in full to the General Revenue Fund.

(3) In Fiscal Year 2012 and thereafter, the General Assembly shall consider the need to balance its appropriations from the investment income earned by the Fund with the need to provide for the growth of the principal of the Illinois Power Agency Trust Fund in order to ensure that the Fund is able to produce sufficient investment income to fund the operations of the Illinois Power Agency in future years.

(4) If the Illinois Power Agency shall cease operations, then, unless otherwise provided for by law or appropriation, the principal and any investment income earned by the Fund shall be transferred into the Supplemental Low-Income Energy Assistance Fund.

(e) Implementation. The provisions of this Section shall not be operative until the Illinois Power Agency Trust Fund has accumulated a principal balance of $25,000,000.

(Source: P.A. 102-1071, eff. 6-10-22.)

Section 3-70. The Industrial Development Assistance Law is amended by changing Sections 4, 5, and 7 as follows:

(30 ILCS 720/4) (from Ch. 85, par. 894)

Sec. 4. Recognition of industrial development agencies. The Department, upon receipt of certified copies of such resolutions as may be necessary to satisfy it that an industrial development agency has been duly chosen to act within a particular county, may ~~shall~~ recognize such industrial development agency as the sole such agency within such county for the purposes of this Act.

(Source: P.A. 76-1961.)

(30 ILCS 720/5) (from Ch. 85, par. 895)

Sec. 5. Applications for and approval of grants to industrial development agencies. Subject to appropriation, the ~~The~~ Department is authorized to make grants to recognized industrial development agencies, to assist such agencies in the financing of their operational costs for the purposes of making studies, surveys and investigations, the compilation of data and statistics and in the carrying out of planning and promotional programs; but before any such grant may be made,

(A) The industrial development agency shall have made application to the Department for such grant, and shall have therein set forth the studies proposed to be made, the statistics, data and surveys proposed to be completed, and the program proposed to be undertaken for the purpose of encouraging and stimulating industrial development in the county. The application shall further state, under oath or affirmation, with evidence thereof satisfactory to the department, the amount of funds held by or committed or subscribed to the industrial development agency for application to the purposes herein described and the amount of the grant for which application is made; and

(B) The Department, after review of the application, if satisfied that the program of the industrial development agency appears to be in accord with the purposes of this Act, shall authorize the making of a matching grant to such industrial development agency equal to funds of the agency allocated by it to the program described in its application; but such State grant shall not exceed an amount equal to one-twentieth of one dollar for each inhabitant of the county or counties represented by such agency as determined by the last preceding decennial United States Census.

(Source: P.A. 76-1961.)

(30 ILCS 720/7) (from Ch. 85, par. 897)

Sec. 7. Rules and regulations of the department. In order to effectuate and enforce the provisions of this Act, the Department may adopt ~~is authorized to promulgate~~ necessary rules and regulations and prescribe procedures in order to assure compliance by industrial development agencies in carrying out the purposes for which grants may be made hereunder.

(Source: P.A. 76-1961.)

Section 3-75. The Build Illinois Act is amended by changing Section 9-4.2a as follows:

(30 ILCS 750/9-4.2a)

Sec. 9-4.2a. Rural micro-business loans.

(a) In order to increase the growth of small rural businesses, the rural micro-business loan program is created and shall be administered by the Department of Commerce and Economic Opportunity, subject to appropriation. This program shall help small businesses that lack sufficient collateral or equity access funds at competitive terms to help create or retain jobs, modernize equipment or facilities, and maintain their competitiveness.

(b) In the making of loans for rural micro-businesses, as defined below, the Department is authorized to employ different criteria in lieu of the general provisions of subsections (b), (d), (e), (f), (h), and (i) of Section 9-4. The Department shall adopt rules for the administration of this program.

For purposes of this Section, "rural micro-business" means a business that: (i) employs 5 or fewer full-time employees, including the owner if the owner is an employee, and (ii) is based on the production, processing, or marketing of agricultural products, forest products, cottage and craft products, or tourism.

(c) The Department may ~~shall~~ determine by rule the amount, term, interest rate, and allowable uses of loans awarded under this program, except that:

(1) The loan shall not exceed $25,000 or 50% of the business project costs, unless the Director of the Department determines that a waiver of these limits is required to meet the purposes of this Act.

(2) The loan shall only be made if the Department determines that the number of jobs to be created or retained by the business is reasonable in relation to the loan funds requested.

(3) The borrower shall provide a written statement of the funds required to establish or support the business and shall provide equity capital in an amount equal to 10% of the first $10,000 of the required funds and equity capital, other loans, or leveraged capital, or any combination thereof, in an amount equal to 50% of any additional required funds.

(4) The loan shall be in a principal amount and form and contain terms and provisions with respect to security, insurance, reporting, delinquency charges, default remedies, and other matters that the Department determines are appropriate to protect the public interest and are consistent with the purposes of this Section. The terms and provisions may be less than required for similar loans not covered by this Section.

(5) The Department shall award no less than 80% of the amount available for this program for loans to businesses that are located in counties with a population of 100,000 or less.

(Source: P.A. 94-392, eff. 8-1-05.)

Section 3-80. The State Mandates Act is amended by changing Section 4 as follows:

(30 ILCS 805/4) (from Ch. 85, par. 2204)

Sec. 4. Collection and maintenance of information concerning state mandates.

(a) The Department of Commerce and Economic Opportunity, hereafter referred to as the Department, shall, subject to appropriation, be responsible for:

(1) Collecting and maintaining information on State mandates, including information required for effective implementation of the provisions of this Act.

(2) Reviewing local government applications for reimbursement submitted under this Act in cases in which the General Assembly has appropriated funds to reimburse local governments for costs associated with the implementation of a State mandate. In cases in which there is no appropriation for reimbursement, upon a request for determination of a mandate by a unit of local government, or more than one unit of local government filing a single request, other than a school district or a community college district, the Department shall determine whether a Public Act constitutes a mandate and, if so, the Statewide cost of implementation.

(3) Hearing complaints or suggestions from local governments and other affected organizations as to existing or proposed State mandates.

(4) Reporting each year to the Governor and the General Assembly regarding the administration of provisions of this Act and changes proposed to this Act.

The Commission on Government Forecasting and Accountability shall conduct public hearings as needed to review the information collected and the recommendations made by the Department under this subsection (a). The Department shall cooperate fully with the Commission on Government Forecasting and Accountability, providing any information, supporting documentation and other assistance required by the Commission on Government Forecasting and Accountability to facilitate the conduct of the hearing.

(b) Within 2 years following the effective date of this Act, the Department shall, subject to appropriation, collect and tabulate relevant information as to the nature and scope of each existing State mandate, including but not necessarily limited to (i) identity of type of local government and local government agency or official to whom the mandate is directed; (ii) whether or not an identifiable local direct cost is necessitated by the mandate and the estimated annual amount; (iii) extent of State financial participation, if any, in meeting identifiable costs; (iv) State agency, if any, charged with supervising the implementation of the mandate; and (v) a brief description of the mandate and a citation of its origin in statute or regulation.

(c) The resulting information from subsection (b) shall be published in a catalog available to members of the General Assembly, State and local officials, and interested citizens. As new mandates are enacted they shall be added to the catalog, and each January 31 the Department shall, subject to appropriation, list each new mandate enacted at the preceding session of the General Assembly, and the estimated additional identifiable direct costs, if any imposed upon local governments. A revised version of the catalog shall, subject to appropriation, be published every 2 years beginning with the publication date of the first catalog.

(d) Failure of the General Assembly to appropriate adequate funds for reimbursement as required by this Act shall not relieve the Department of Commerce and Economic Opportunity from its obligations under this Section.

(Source: P.A. 100-1148, eff. 12-10-18.)

(70 ILCS 210/22.1 rep.)

Section 3-85. The Metropolitan Pier and Exposition Authority Act is amended by repealing Section 22.1.

Section 3-90. The Forensic Psychiatry Fellowship Training Act is amended by changing Section 5 as follows:

(110 ILCS 46/5)

Sec. 5. Creation of program. The University of Illinois at Chicago and Southern Illinois University shall expand their focuses on enrolling, training, and graduating forensic mental health professionals by each creating, subject to appropriations, a forensic psychiatry fellowship training program at their Colleges of Medicine.

(Source: P.A. 95-22, eff. 8-3-07.)

Section 3-95. The Liquor Control Act of 1934 is amended by changing Sections 6-5 and 9-12 as follows:

(235 ILCS 5/6-5) (from Ch. 43, par. 122)

Sec. 6-5. Except as otherwise provided in this Section, it is unlawful for any person having a retailer's license or any officer, associate, member, representative or agent of such licensee to accept, receive or borrow money, or anything else of value, or accept or receive credit (other than merchandising credit in the ordinary course of business for a period not to exceed 30 days) directly or indirectly from any manufacturer, importing distributor or distributor of alcoholic liquor, or from any person connected with or in any way representing, or from any member of the family of, such manufacturer, importing distributor, distributor or wholesaler, or from any stockholders in any corporation engaged in manufacturing, distributing or wholesaling of such liquor, or from any officer, manager, agent or representative of said manufacturer. Except as provided below, it is unlawful for any manufacturer or distributor or importing distributor to give or lend money or anything of value, or otherwise loan or extend credit (except such merchandising credit) directly or indirectly to any retail licensee or to the manager, representative, agent, officer or director of such licensee. A manufacturer, distributor or importing distributor may furnish free advertising, posters, signs, brochures, hand-outs, or other promotional devices or materials to any unit of government owning or operating any auditorium, exhibition hall, recreation facility or other similar facility holding a retailer's license, provided that the primary purpose of such promotional devices or materials is to promote public events being held at such facility. A unit of government owning or operating such a facility holding a retailer's license may accept such promotional devices or materials designed primarily to promote public events held at the facility. No retail licensee delinquent beyond the 30 day period specified in this Section shall solicit, accept or receive credit, purchase or acquire alcoholic liquors, directly or indirectly from any other licensee, and no manufacturer, distributor or importing distributor shall knowingly grant or extend credit, sell, furnish or supply alcoholic liquors to any such delinquent retail licensee; provided that the purchase price of all beer sold to a retail licensee shall be paid by the retail licensee in cash on or before delivery of the beer, and unless the purchase price payable by a retail licensee for beer sold to him in returnable bottles shall expressly include a charge for the bottles and cases, the retail licensee shall, on or before delivery of such beer, pay the seller in cash a deposit in an amount not less than the deposit required to be paid by the distributor to the brewer; but where the brewer sells direct to the retailer, the deposit shall be an amount no less than that required by the brewer from his own distributors; and provided further, that in no instance shall this deposit be less than 50 cents for each case of beer in pint or smaller bottles and 60 cents for each case of beer in quart or half-gallon bottles; and provided further, that the purchase price of all beer sold to an importing distributor or distributor shall be paid by such importing distributor or distributor in cash on or before the 15th day (Sundays and holidays excepted) after delivery of such beer to such purchaser; and unless the purchase price payable by such importing distributor or distributor for beer sold in returnable bottles and cases shall expressly include a charge for the bottles and cases, such importing distributor or distributor shall, on or before the 15th day (Sundays and holidays excepted) after delivery of such beer to such purchaser, pay the seller in cash a required amount as a deposit to assure the return of such bottles and cases. Nothing herein contained shall prohibit any licensee from crediting or refunding to a purchaser the actual amount of money paid for bottles, cases, kegs or barrels returned by the purchaser to the seller or paid by the purchaser as a deposit on bottles, cases, kegs or barrels, when such containers or packages are returned to the seller. Nothing herein contained shall prohibit any manufacturer, importing distributor or distributor from extending usual and customary credit for alcoholic liquor sold to customers or purchasers who live in or maintain places of business outside of this State when such alcoholic liquor is actually transported and delivered to such points outside of this State.

A manufacturer, distributor, or importing distributor may furnish free social media advertising to a retail licensee if the social media advertisement does not contain the retail price of any alcoholic liquor and the social media advertisement complies with any applicable rules or regulations issued by the Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury. A manufacturer, distributor, or importing distributor may list the names of one or more unaffiliated retailers in the advertisement of alcoholic liquor through social media. Nothing in this Section shall prohibit a retailer from communicating with a manufacturer, distributor, or importing distributor on social media or sharing media on the social media of a manufacturer, distributor, or importing distributor. A retailer may request free social media advertising from a manufacturer, distributor, or importing distributor. Nothing in this Section shall prohibit a manufacturer, distributor, or importing distributor from sharing, reposting, or otherwise forwarding a social media post by a retail licensee, so long as the sharing, reposting, or forwarding of the social media post does not contain the retail price of any alcoholic liquor. No manufacturer, distributor, or importing distributor shall pay or reimburse a retailer, directly or indirectly, for any social media advertising services, except as specifically permitted in this Act. No retailer shall accept any payment or reimbursement,

directly or indirectly, for any social media advertising services offered by a manufacturer, distributor, or importing distributor, except as specifically permitted in this Act. For the purposes of this Section, "social media" means a service, platform, or site where users communicate with one another and share media, such as pictures, videos, music, and blogs, with other users free of charge.

No right of action shall exist for the collection of any claim based upon credit extended to a distributor, importing distributor or retail licensee contrary to the provisions of this Section.

Every manufacturer, importing distributor and distributor shall submit or cause to be submitted, to the State Commission, ~~in triplicate,~~ not later than Thursday of each calendar week, a verified written list of the names and respective addresses of each retail licensee purchasing spirits or wine from such manufacturer, importing distributor or distributor who, on the first business day of that calendar week, was delinquent beyond the above mentioned permissible merchandising credit period of 30 days; or, if such is the fact, a verified written statement that no retail licensee purchasing spirits or wine was then delinquent beyond such permissible merchandising credit period of 30 days.

Every manufacturer, importing distributor and distributor shall submit or cause to be submitted, to the State Commission, ~~in triplicate,~~ a verified written list of the names and respective addresses of each previously reported delinquent retail licensee who has cured such delinquency by payment, which list shall be submitted not later than the close of the second full business day following the day such delinquency was so cured.

The written list of delinquent retail licensees shall be developed, administered, and maintained only by the State Commission. The State Commission shall notify each retail licensee that it has been placed on the delinquency list. Determinations of delinquency or nondelinquency shall be made only by the State Commission.

Such written verified reports required to be submitted by this Section shall be posted by the State Commission in each of its offices in places available for public inspection not later than the day following receipt thereof by the State Commission. The reports so posted shall constitute notice to every manufacturer, importing distributor and distributor of the information contained therein. Actual notice to manufacturers, importing distributors and distributors of the information contained in any such posted reports, however received, shall also constitute notice of such information.

The 30-day merchandising credit period allowed by this Section shall commence with the day immediately following the date of invoice and shall include all successive days including Sundays and holidays to and including the 30th successive day.

In addition to other methods allowed by law, payment by check or credit card during the period for which merchandising credit may be extended under the provisions of this Section shall be considered payment. All checks received in payment for alcoholic liquor shall be promptly deposited for collection. A post dated check or a check dishonored on presentation for payment shall not be deemed payment.

A credit card payment in dispute by a retailer shall not be deemed payment, and the debt uncured for merchandising credit shall be reported as delinquent. Nothing in this Section shall prevent a distributor, self-distributing manufacturer, or importing distributor from assessing a usual and customary transaction fee representative of the actual finance charges incurred for processing a credit card payment. This transaction fee shall be disclosed on the invoice. It shall be considered unlawful for a distributor, importing distributor, or self-distributing manufacturer to waive finance charges for retailers.

A retail licensee shall not be deemed to be delinquent in payment for any alleged sale to him of alcoholic liquor when there exists a bona fide dispute between such retailer and a manufacturer, importing distributor or distributor with respect to the amount of indebtedness existing because of such alleged sale. A retail licensee shall not be deemed to be delinquent under this provision and 11 Ill. Adm. Code 100.90 until 30 days after the date on which the region in which the retail licensee is located enters Phase 4 of the Governor's Restore Illinois Plan as issued on May 5, 2020.

A delinquent retail licensee who engages in the retail liquor business at 2 or more locations shall be deemed to be delinquent with respect to each such location.

The license of any person who violates any provision of this Section shall be subject to suspension or revocation in the manner provided by this Act.

If any part or provision of this Article or the application thereof to any person or circumstances shall be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined by its operation to the controversy in which it was mentioned and shall not affect or invalidate the remainder of this Article or the application thereof to any other person or circumstance and to this and the provisions of this Article are declared severable.

(Source: P.A. 101-631, eff. 6-2-20; 102-8, eff. 6-2-21; 102-442, eff. 1-1-22; 102-813, eff. 5-13-22.)

(235 ILCS 5/9-12) (from Ch. 43, par. 175.1)

Sec. 9-12. Within 10 days after the filing of any petition under this Article, the official with whom the petition is filed shall prepare~~, in quintuplicate,~~ the report hereinafter prescribed. One copy shall be kept on file in the official's office, and he shall, by registered mail, send two copies to the Secretary of State, one copy to the county clerk and one copy to the person who filed the petition.

The official shall make such report substantially in the following form:

Report of filing of petition for local option election to be held on .... in .... (name of precinct, etc.).
Date of filing ....
By whom filed ....
Number of signers ....
Proposal(s) to be voted upon ....

.... (Official)

Immediately upon completion of the canvass of any local option election, the official shall prepare~~, in quadruplicate,~~ a report of the election result as hereinafter prescribed, ~~and~~ shall keep one copy on file in his office , and, within 10 days after the canvass, shall, by registered mail, send two copies to the Secretary of State and one copy to the county clerk. The report shall be substantially as follows:

Report of local option election held on .... in .... (name of precinct, etc.) upon the following proposal(s) ....

Number voting "YES" ....
Number voting "NO" ....
.... (Official)

The official shall sign each copy of every report required by this Section.

The Secretary of State and the county clerk shall keep on file in their offices, available for inspection, any report received by him pursuant to this Section.

(Source: P.A. 91-357, eff. 7-29-99.)

Section 3-100. The Atherosclerosis Prevention Act is amended by changing Section 15 as follows:

(410 ILCS 3/15)

Sec. 15. Duties. The Department of Public Health~~, with the advice of the Atherosclerosis Advisory Committee,~~ shall do all of the following:

(1) Develop standards for determining eligibility for support of research, education, and prevention activities.

(2) Assist in the development and expansion of programs for research in the causes and cures of atherosclerosis, including medical procedures and techniques that have a lifesaving effect in the care and treatment of persons suffering from the disease.

(3) Assist in expanding resources for research and medical care in the cardiovascular disease field.

(4) Establish or cause to be established, through its own resources or by contract or otherwise, with other agencies or institutions, facilities and systems for early detection of persons with heart disease or conditions that might lead to heart disease and for referral to those persons' physicians or other appropriate resources for care.

(5) Institute and carry on educational programs among physicians, hospitals, public health departments, and the public concerning atherosclerosis, including the dissemination of information and the conducting of educational programs concerning the prevention of atherosclerosis and the methods for the care and treatment of persons suffering from the disease.

(Source: P.A. 91-343, eff. 1-1-00.)

Section 3-105. The Environmental Protection Act is amended by changing Section 55.6 as follows:

(415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)

Sec. 55.6. Used Tire Management Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Used Tire Management Fund. There shall be deposited into the Fund all monies received as (1) recovered costs or proceeds from the sale of used tires under Section 55.3 of this Act, (2) repayment of loans from the Used Tire Management Fund, or (3) penalties or punitive damages for violations of this Title, except as provided by subdivision (b)(4) or (b)(4-5) of Section 42.

(b) Beginning January 1, 1992, in addition to any other fees required by law, the owner or operator of each site required to be registered or permitted under subsection (d) or (d-5) of Section 55 shall pay to the Agency an annual fee of $100. Fees collected under this subsection shall be deposited into the Environmental Protection Permit and Inspection Fund.

(c) Pursuant to appropriation, moneys up to an amount of $4 million per fiscal year from the Used Tire Management Fund shall be allocated as follows:

(1) 38% shall be available to the Agency for the following purposes, provided that priority shall be given to item (i):

(i) To undertake preventive, corrective or removal action as authorized by and in accordance with Section 55.3, and to recover costs in accordance with Section 55.3.

(ii) For the performance of inspection and enforcement activities for used and waste tire sites.

(iii) (Blank).

(iv) To provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to subsection (r) of Section 4 at used and waste tire sites.

(v) To provide financial assistance for used and waste tire collection projects sponsored by local government or not-for-profit corporations.

(vi) For the costs of fee collection and administration relating to used and waste tires, and to accomplish such other purposes as are authorized by this Act and regulations thereunder.

(vii) To provide financial assistance to units of local government and private industry for the purposes of:

(A) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(B) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(C) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(2) (Blank).

(2.1) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 23% shall be deposited into the General Revenue Fund. Prior to the fiscal year beginning July 1, 2023, such ~~Such~~ transfers are at the direction of the Department of Revenue, and shall be made within 30 days after the end of each quarter. Beginning with the fiscal year beginning July 1, 2023, such transfers are at the direction of the Agency and shall be made within 30 days after the end of each quarter.

(3) 25% shall be available to the Illinois Department of Public Health for the following purposes:

(A) To investigate threats or potential threats to the public health related to mosquitoes and other vectors of disease associated with the improper storage, handling and disposal of tires, improper waste disposal, or natural conditions.

(B) To conduct surveillance and monitoring activities for mosquitoes and other arthropod vectors of disease, and surveillance of animals which provide a reservoir for disease-producing organisms.

(C) To conduct training activities to promote vector control programs and integrated pest management as defined in the Vector Control Act.

(D) To respond to inquiries, investigate complaints, conduct evaluations and provide technical consultation to help reduce or eliminate public health hazards and nuisance conditions associated with mosquitoes and other vectors.

(E) To provide financial assistance to units of local government for training, investigation and response to public nuisances associated with mosquitoes and other vectors of disease.

(4) 2% shall be available to the Department of Agriculture for its activities under the Illinois Pesticide Act relating to used and waste tires.

(5) 2% shall be available to the Pollution Control Board for administration of its activities relating to used and waste tires.

(6) 10% shall be available to the University of Illinois for the Prairie Research Institute to perform research to study the biology, distribution, population ecology, and biosystematics of tire-breeding arthropods, especially mosquitoes, and the diseases they spread.

(d) By January 1, 1998, and biennially thereafter, each State agency receiving an appropriation from the Used Tire Management Fund shall report to the Governor and the General Assembly on its activities relating to the Fund.

(e) Any monies appropriated from the Used Tire Management Fund, but not obligated, shall revert to the Fund.

(f) In administering the provisions of subdivisions (1), (2) and (3) of subsection (c) of this Section, the Agency, the Department of Commerce and Economic Opportunity, and the Illinois Department of Public Health shall ensure that appropriate funding assistance is provided to any municipality with a population over 1,000,000 or to any sanitary district which serves a population over 1,000,000.

(g) Pursuant to appropriation, monies in excess of $4 million per fiscal year from the Used Tire Management Fund shall be used as follows:

(1) 55% shall be available to the Agency for the following purposes, provided that priority shall be given to subparagraph (A):

(A) To undertake preventive, corrective or renewed action as authorized by and in accordance with Section 55.3 and to recover costs in accordance with Section 55.3.

(B) To provide financial assistance to units of local government and private industry for the purposes of:

(i) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(C) To provide grants to public universities for vector-related research, disease-related research, and for related laboratory-based equipment and field-based equipment.

(2) (Blank).

(3) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 45% shall be deposited into the General Revenue Fund. Prior to the fiscal year beginning July 1, 2023, such ~~Such~~ transfers are at the direction of the Department of Revenue, and shall be made within 30 days after the end of each quarter. Beginning with the fiscal year beginning July 1, 2023, such transfers are at the direction of the Agency and shall be made within 30 days after the end of each quarter.

(Source: P.A. 100-103, eff. 8-11-17; 100-327, eff. 8-24-17; 100-587, eff. 6-4-18; 100-621, eff. 7-20-18; 100-863, eff. 8-14-18; 101-10, eff. 6-5-19; 101-636, eff. 6-10-20.)

(615 ILCS 60/Act rep.)

Section 3-110. The Des Plaines and Illinois Rivers Act is repealed.

Section 3-115. The Minimum Wage Law is amended by changing Section 10 as follows:

(820 ILCS 105/10) (from Ch. 48, par. 1010)

Sec. 10. (a) The Director shall make and revise administrative regulations, including definitions of terms, as he deems appropriate to carry out the purposes of this Act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage established by the Act. Regulations governing employment of learners may be issued only after notice and opportunity for public hearing, as provided in subsection (c) of this Section.

(b) In order to prevent curtailment of opportunities for employment, avoid undue hardship, and safeguard the minimum wage rate under this Act, the Director may also issue regulations providing for the employment of workers with disabilities at wages lower than the wage rate applicable under this Act, under permits and for such periods of time as specified therein; and providing for the employment of learners at

wages lower than the wage rate applicable under this Act. However, such regulation shall not permit lower wages for persons with disabilities on any basis that is unrelated to such person's ability resulting from his disability, and such regulation may be issued only after notice and opportunity for public hearing as provided in subsection (c) of this Section.

(c) Prior to the adoption, amendment or repeal of any rule or regulation by the Director under this Act, except regulations which concern only the internal management of the Department of Labor and do not affect any public right provided by this Act, the Director shall give proper notice to persons in any industry or occupation that may be affected by the proposed rule or regulation, and hold a public hearing on his proposed action at which any such affected person, or his duly authorized representative, may attend and testify or present other evidence for or against such proposed rule or regulation. Rules and regulations adopted under this Section shall be filed with the Secretary of State in compliance with "An Act concerning administrative rules", as now or hereafter amended. ~~Such adopted and filed rules and regulations shall become effective 10 days after copies thereof have been mailed by the Department to persons in industries affected thereby at their last known address.~~

(d) The commencement of proceedings by any person aggrieved by an administrative regulation issued under this Act does not, unless specifically ordered by the Court, operate as a stay of that administrative regulation against other persons. The Court shall not grant any stay of an administrative regulation unless the person complaining of such regulation files in the Court an undertaking with a surety or sureties satisfactory to the Court for the payment to the employees affected by the regulation, in the event such regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the regulation exceeds the compensation they actually receive while such stay is in effect.

(e) The Department may adopt emergency rules in accordance with Section 5-45 of the Illinois Administrative Procedure Act to implement the changes made by this amendatory Act of the 101st General Assembly.

(Source: P.A. 101-1, eff. 2-19-19.)

ARTICLE 99."; and

on page 54, line 19, by replacing "Section 999" with "Section 99-999".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Johnson, **House Bill No. 3856** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Stadelman
Aquino	Fine	Loughran Cappel	Stoller
Belt	Fowler	Martwick	Syverson
Bennett	Gillespie	McClure	Tracy
Bryant	Glowiak Hilton	McConchie	Turner, D.
Castro	Halpin	Morrison	Turner, S.
Cervantes	Harris, N.	Murphy	Ventura
Chesney	Harriss, E.	Peters	Villa
Cunningham	Hastings	Plummer	Villanueva
Curran	Holmes	Porfirio	Villivalam

DeWitte	Hunter	Preston	Wilcox
Edly-Allen	Johnson	Rezin	Mr. President
Ellman	Joyce	Simmons	
Faraci	Koehler	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 in the Senate Amendment adopted thereto.

Senator Lightford asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 3856**.

On motion of Senator Hunter, **House Bill No. 3698** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 48; NAY 1.

The following voted in the affirmative:

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Cunningham, **House Bill No. 1595** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cunningham, **House Bill No. 2518** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 297** having been printed, was taken up, read by title a second time and ordered to a third reading.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 779
Amendment No. 2 to House Bill 2858
Amendment No. 3 to House Bill 2858
Amendment No. 1 to House Bill 3062

At the hour of 7:22 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, May 18, 2023, at 12:00 o'clock p.m.