SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED SECOND GENERAL ASSEMBLY

104TH LEGISLATIVE DAY

FRIDAY, APRIL 1, 2022

11:17 O'CLOCK A.M.

NO. 104
[April 1, 2022]

SENATE
Daily Journal Index
104th Legislative Day

The Senate met pursuant to adjournment.
Senator Linda Holmes, Aurora, Illinois, presiding.
Prayer by Pastor Curt Fleck, Civil Servant Ministries, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Thursday, March 31, 2022, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

FY22 3rd Quarter Interfund Borrowing, submitted by the Governor's Office of Management and Budget.

Illinois' 2021 ACHP - Annual Progress Report, submitted by the Illinois Housing Development Authority.

Women and Minorities in the Illinois Labor Force 2022 Progress Report, submitted by the Department of Employment Security.

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 5167
Amendment No. 2 to House Bill 5186
Amendment No. 3 to House Bill 5186

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

Amendment No. 1 to Senate Bill 1105
Amendment No. 1 to Senate Bill 1150
Amendment No. 2 to Senate Bill 1150
Amendment No. 3 to Senate Bill 1150
Amendment No. 4 to Senate Bill 1150
Amendment No. 5 to Senate Bill 1150
Amendment No. 6 to Senate Bill 1150
Amendment No. 7 to Senate Bill 1150
Amendment No. 8 to Senate Bill 1150

MESSAGES 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

April 1, 2022

Mr. Tim Anderson
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 2-10, I am cancelling Session scheduled for Saturday, April 2 and Sunday, April 3, 2022.

The Senate will reconvene on Monday, April 4, 2022. If you have any questions please contact my Chief of Staff Jake Butcher.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader Dan McConchie

OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS

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

April 1, 2022

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

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I am extending the deadline for 3rd Reading and final passage of all House Bills to April 8, 2022.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader Dan McConchie

PRESENTATION OF RESOLUTION

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

SENATE RESOLUTION NO. 949

WHEREAS, The day of April 1 is annually celebrated as the Assyrian New Year and is also known as Kha b'Nissan or Akitu; and

WHEREAS, The Assyrian New Year is known to be the oldest celebration in history and is not only the first day of the new year but also marks the start of spring and serves as a symbol of revival; and

WHEREAS, This New Year marks year 6772 in the Assyrian calendar; in ancient Assyria, the Assyrian New Year festival was celebrated for 12 days, coinciding with the Spring Equinox; and

WHEREAS, The Assyrian New Year is recognized and celebrated by millions of Assyrians around the world in the form of festivals, parades, and parties; men and women will gather in traditional clothes and dance in open areas such as parks and community centers, and speeches and poetry will be shared; and

WHEREAS, The Assyrian community has a vibrant history and heritage rooted in ancient traditions; ancient tablets detail magnificent Akitu festivities as they were celebrated thousands of years ago; some ancient traditions have survived, such as the practice of hanging flowers from Assyrian homes, known as Diqna d'Nissan or the 'beard of spring'; and

WHEREAS, In their various countries of origin, including Iraq, Syria, Turkey, and Iran, governing authorities historically infringed on the cultural and linguistic rights of Assyrians and prohibited public celebrations of the Assyrian New Year; and

WHEREAS, For Assyrians, both in Illinois and across the nation, celebrating the Assyrian New Year serves as a vital link to preserving their history and culture; and

WHEREAS, According to the Assyrian Policy Institute, Illinois is home to more than 80,000 Assyrian Americans; and

WHEREAS, The Assyrian New Year serves to remind the State of Illinois of the many substantial contributions the Assyrian community has made to Illinois and the social fabric of our state; and

WHEREAS, It is imperative that members of the Assyrian community across the globe feel seen, valued, and encouraged to celebrate and preserve their cultural heritage; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we express our support for the Assyrian community and the preservation of a vibrant history and heritage rooted in ancient traditions; and be it further

RESOLVED, That we declare April 1, 2022 as "Assyrian New Year Day" in the State of Illinois in honor of our fellow Illinois residents who celebrate their heritage on this day.

INTRODUCTION OF BILL

SENATE BILL NO. 4203. Introduced by Senator Peters, a bill for AN ACT concerning appropriations.

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

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 3 to House Bill 3205
Senate Amendment No. 4 to House Bill 4281

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

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

Senate Amendment No. 2 to House Bill 4813
Senate Amendment No. 1 to House Bill 5506

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

Senator Van Pelt, Chair of the Committee on Healthcare Access and Availability, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Resolution 862

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

MESSAGES FROM THE HOUSE

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

HOUSE BILL NO. 1175

A bill for AN ACT concerning education.

HOUSE BILL NO. 1464

A bill for AN ACT concerning regulation.
Passed the House, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1175 and 1464** were 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 passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1563

A bill for AN ACT concerning State government.

HOUSE BILL NO. 3220

A bill for AN ACT concerning government.

HOUSE BILL NO. 4219

A bill for AN ACT concerning property.

HOUSE BILL NO. 5246

A bill for AN ACT concerning civil law.
Passed the House, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1563, 3220, 4219 and 5246** were 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 concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2243

A bill for AN ACT concerning regulation.
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. 2243
Passed the House, as amended, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2243

AMENDMENT NO. 1 . Amend Senate Bill 2243 on page 31, immediately below line 11, by adding the following:

"Section 900. The Regulatory Sunset Act is amended by changing Section 4.38 as follows:
(5 ILCS 80/4.38)
Sec. 4.38. Acts repealed on January 1, 2028. The following Acts are repealed on January 1, 2028:
The Acupuncture Practice Act.
The Clinical Social Work and Social Work Practice Act.
The Home Medical Equipment and Services Provider License Act.
The Illinois Petroleum Education and Marketing Act.
The Illinois Speech-Language Pathology and Audiology Practice Act.
The Interpreter for the Deaf Licensure Act of 2007.
The Music Therapy Licensing and Practice Act.
The Nurse Practice Act.
The Nursing Home Administrators Licensing and Disciplinary Act.
The Physician Assistant Practice Act of 1987.
The Podiatric Medical Practice Act of 1987.
(Source: P.A. 100-220, eff. 8-18-17; 100-375, eff. 8-25-17; 100-398, eff. 8-25-17; 100-414, eff. 8-25-17; 100-453, eff. 8-25-17; 100-513, eff. 9-20-17; 100-525, eff. 9-22-17; 100-530, eff. 9-22-17; 100-560, eff. 12-8-17.)".

Under the rules, the foregoing **Senate Bill No. 2243**, 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. 3467

A bill for AN ACT concerning civil law.
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. 3467
Passed the House, as amended, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3467

AMENDMENT NO. 1 . Amend Senate Bill 3467 on page 1, line 19, by replacing "an electric" with "a".

Under the rules, the foregoing **Senate Bill No. 3467**, 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. 3613

A bill for AN ACT concerning State government.

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

House Amendment No. 2 to SENATE BILL NO. 3613

Passed the House, as amended, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3613

AMENDMENT NO. 2 . Amend Senate Bill 3613 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Hydrogen Economy Act.

Section 5. Hydrogen Economy Task Force.
(a) The Hydrogen Economy Task Force is hereby established.
(b) The Task Force shall consist of the following members:
(1) one member of the Senate, appointed by the President of the Senate;
(2) one member of the Senate, appointed by the Minority Leader of the Senate;
(3) one member of the House of Representatives, appointed by the Speaker of the House of Representatives;
(4) one member of the House of Representatives, appointed by the Minority Leader of the House of Representatives;
(5) one member representing the Governor's Office of Management and Budget, appointed by the Governor;
(6) one member representing a statewide labor organization, appointed by the Governor;
(7) one member representing a national laboratory that researches alternate fuels, energy, and environmental impacts, appointed by the Governor;
(8) one member from the Office of Energy, appointed by the Director of the Illinois Environmental Protection Agency;
(9) one member representing local economic development interests, appointed by the Director of Commerce and Economic Opportunity;
(10) one member representing a trade association, appointed by the Director of Commerce and Economic Opportunity;
(11) one representative of a manufacturing association, appointed by the Director of Commerce and Economic Opportunity;
(12) one representative of a community-based organization that supports environmental justice communities, appointed by the Director of Commerce and Economic Opportunity;
(13) one member representing the University of Illinois Institute for Sustainability, Energy, and Environment, appointed by the President of the University of Illinois System;
(14) the Director of the Illinois Power Agency or his or her designee;
(15) the Chairman of the Illinois Commerce Commission or his or her designee;
(16) the Director of Commerce and Economic Opportunity or his or her designee;
(17) the Director of Natural Resources or his or her designee;
(18) the Secretary of Transportation or his or her designee;
(19) the Director of Agriculture or his or her designee;
(20) the Chair of the Illinois Community College Board or his or her designee;
(21) one member with knowledge of public safety, appointed by the State Fire Marshal;

(22) one member representing a non-profit energy research organization, appointed by the Governor;

(23) one representative of a trade association representing the investor-owned electric and natural gas utilities and power generation companies in the State of Illinois, appointed by the Speaker of the House; and

(24) one representative of a trade association representing wind and solar electric generators, renewable transmission companies, and storage companies, appointed by the President of the Senate.

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

(d) The Task Force shall meet at least quarterly to fulfill its duties under this Act. At the first meeting of the Task Force, the Task Force shall elect a Chair from among its members.

(e) The Department of Commerce and Economic Opportunity shall provide administrative support to the Task Force.

Section 10. Duties. The Task Force shall have the following duties:

(1) establish a plan to create, support, develop, or partner with a Hydrogen Hub in this State, and determine how to maximize federal financial incentives to support Hub development;

(2) identify opportunities to integrate hydrogen in the transportation, energy, industrial, agricultural, and other sectors;

(3) identify barriers to the widespread development of hydrogen, including within environmental justice communities; and

(4) recommend government policies to catalyze the deployment of hydrogen in the State economy.

Section 15. Report. The Task Force shall report to the Governor and the General Assembly by December 1 of each year on its activities, findings, and recommendations.

Section 95. Repealer. This Act is repealed on June 1, 2023.

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

Under the rules, the foregoing **Senate Bill No. 3613**, 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. 3617

A bill for AN ACT concerning mental health.

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. 3617

House Amendment No. 3 to SENATE BILL NO. 3617

Passed the House, as amended, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3617

AMENDMENT NO. 1 . Amend Senate Bill 3617 on page 16, line 1, after the period, by inserting "An individual may not restore his or her license in accordance with this subsection more than once."; and

on page 18, line 15, after the period, by inserting "An individual may not restore his or her license in accordance with this subsection more than once."; and

on page 20, line 20, after the period, by inserting "An individual may not restore his or her license in accordance with this subsection more than once."; and

on page 21, by replacing lines 19 and 20 with "~~and proof of passage of the examination required in paragraph (4) of Section 9~~. Individuals with 5 ~~10~~ consecutive years of"; and

on page 24, line 17, after "licensed", by inserting "at the"; and

on page 24, by replacing line 20 with "completion of the education, supervised employment, or experience required".

AMENDMENT NO. 3 TO SENATE BILL 3617

AMENDMENT NO. 3 . Amend Senate Bill 3617, on page 13, immediately below line 19, by inserting the following:

"Section 5-5. The Specialized Mental Health Rehabilitation Act of 2013 is amended by changing Sections 1-102 and 2-102.5 as follows:

(210 ILCS 49/1-102)

Sec. 1-102. Definitions. For the purposes of this Act, unless the context otherwise requires:

"Abuse" means any physical or mental injury or sexual assault inflicted on a consumer other than by accidental means in a facility.

"Accreditation" means any of the following:

(1) the Joint Commission;

(2) the Commission on Accreditation of Rehabilitation Facilities;

(3) the Healthcare Facilities Accreditation Program; or

(4) any other national standards of care as approved by the Department.

"APRN" means an Advanced Practice Registered Nurse, nationally certified as a mental health or psychiatric nurse practitioner and licensed under the Nurse Practice Act.

"Applicant" means any person making application for a license or a provisional license under this Act.

"Consumer" means a person, 18 years of age or older, admitted to a mental health rehabilitation facility for evaluation, observation, diagnosis, treatment, stabilization, recovery, and rehabilitation.

"Consumer" does not mean any of the following:

(i) an individual requiring a locked setting;

(ii) an individual requiring psychiatric hospitalization because of an acute psychiatric crisis;

(iii) an individual under 18 years of age;

(iv) an individual who is actively suicidal or violent toward others;

(v) an individual who has been found unfit to stand trial;

(vi) an individual who has been found not guilty by reason of insanity based on committing a violent act, such as sexual assault, assault with a deadly weapon, arson, or murder;

(vii) an individual subject to temporary detention and examination under Section 3-607 of the Mental Health and Developmental Disabilities Code;

(viii) an individual deemed clinically appropriate for inpatient admission in a State psychiatric hospital; and

(ix) an individual transferred by the Department of Corrections pursuant to Section 3-8-5 of the Unified Code of Corrections.

"Consumer record" means a record that organizes all information on the care, treatment, and rehabilitation services rendered to a consumer in a specialized mental health rehabilitation facility.

"Controlled drugs" means those drugs covered under the federal Comprehensive Drug Abuse Prevention Control Act of 1970, as amended, or the Illinois Controlled Substances Act.

"Department" means the Department of Public Health.

"Discharge" means the full release of any consumer from a facility.

"Drug administration" means the act in which a single dose of a prescribed drug or biological is given to a consumer. The complete act of administration entails removing an individual dose from a container, verifying the dose with the prescriber's orders, giving the individual dose to the consumer, and promptly recording the time and dose given.

"Drug dispensing" means the act entailing the following of a prescription order for a drug or biological and proper selection, measuring, packaging, labeling, and issuance of the drug or biological to a consumer.

"Emergency" means a situation, physical condition, or one or more practices, methods, or operations which present imminent danger of death or serious physical or mental harm to consumers of a facility.

"Facility" means a specialized mental health rehabilitation facility that provides at least one of the following services: (1) triage center; (2) crisis stabilization; (3) recovery and rehabilitation supports; or (4) transitional living units for 3 or more persons. The facility shall provide a 24-hour program that provides intensive support and recovery services designed to assist persons, 18 years or older, with mental disorders to develop the skills to become self-sufficient and capable of increasing levels of independent functioning. It includes facilities that meet the following criteria:

(1) 100% of the consumer population of the facility has a diagnosis of serious mental illness;

(2) no more than 15% of the consumer population of the facility is 65 years of age or older;

(3) none of the consumers are non-ambulatory;

(4) none of the consumers have a primary diagnosis of moderate, severe, or profound intellectual disability; and

(5) the facility must have been licensed under the Specialized Mental Health Rehabilitation Act or the Nursing Home Care Act immediately preceding July 22, 2013 (the effective date of this Act) and qualifies as an institute for mental disease under the federal definition of the term.

"Facility" does not include the following:

(1) a home, institution, or place operated by the federal government or agency thereof, or by the State of Illinois;

(2) a hospital, sanitarium, or other institution whose principal activity or business is the diagnosis, care, and treatment of human illness through the maintenance and operation as organized facilities therefor which is required to be licensed under the Hospital Licensing Act;

(3) a facility for child care as defined in the Child Care Act of 1969;

(4) a community living facility as defined in the Community Living Facilities Licensing Act;

(5) a nursing home or sanatorium operated solely by and for persons who rely exclusively upon treatment by spiritual means through prayer, in accordance with the creed or tenets of any well-recognized church or religious denomination; however, such nursing home or sanatorium shall comply with all local laws and rules relating to sanitation and safety;

(6) a facility licensed by the Department of Human Services as a community-integrated living arrangement as defined in the Community-Integrated Living Arrangements Licensure and Certification Act;

(7) a supportive residence licensed under the Supportive Residences Licensing Act;

(8) a supportive living facility in good standing with the program established under Section 5-5.01a of the Illinois Public Aid Code, except only for purposes of the employment of persons in accordance with Section 3-206.01 of the Nursing Home Care Act;

(9) an assisted living or shared housing establishment licensed under the Assisted Living and Shared Housing Act, except only for purposes of the employment of persons in accordance with Section 3-206.01 of the Nursing Home Care Act;

(10) an Alzheimer's disease management center alternative health care model licensed under the Alternative Health Care Delivery Act;

(11) a home, institution, or other place operated by or under the authority of the Illinois Department of Veterans' Affairs;

(12) a facility licensed under the ID/DD Community Care Act;

(13) a facility licensed under the Nursing Home Care Act after July 22, 2013 (the effective date of this Act); or

(14) a facility licensed under the MC/DD Act.

"Executive director" means a person who is charged with the general administration and supervision of a facility licensed under this Act and who is a licensed nursing home administrator, licensed practitioner of the healing arts, or qualified mental health professional.

"Guardian" means a person appointed as a guardian of the person or guardian of the estate, or both, of a consumer under the Probate Act of 1975.

"Identified offender" means a person who meets any of the following criteria:

(1) Has been convicted of, found guilty of, adjudicated delinquent for, found not guilty by reason of insanity for, or found unfit to stand trial for, any felony offense listed in Section 25 of the Health Care Worker Background Check Act, except for the following:

(i) a felony offense described in Section 10-5 of the Nurse Practice Act;

(ii) a felony offense described in Section 4, 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card Act;

(iii) a felony offense described in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act;

(iv) a felony offense described in Section 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act; and

(v) a felony offense described in the Methamphetamine Control and Community Protection Act.

(2) Has been convicted of, adjudicated delinquent for, found not guilty by reason of insanity for, or found unfit to stand trial for, any sex offense as defined in subsection (c) of Section 10 of the Sex Offender Management Board Act.

"Transitional living units" are residential units within a facility that have the purpose of assisting the consumer in developing and reinforcing the necessary skills to live independently outside of the facility. The duration of stay in such a setting shall not exceed 120 days for each consumer. Nothing in this definition shall be construed to be a prerequisite for transitioning out of a facility.

"Licensee" means the person, persons, firm, partnership, association, organization, company, corporation, or business trust to which a license has been issued.

"Misappropriation of a consumer's property" means the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a consumer's belongings or money without the consent of a consumer or his or her guardian.

"Neglect" means a facility's failure to provide, or willful withholding of, adequate medical care, mental health treatment, psychiatric rehabilitation, personal care, or assistance that is necessary to avoid physical harm and mental anguish of a consumer.

"Personal care" means assistance with meals, dressing, movement, bathing, or other personal needs, maintenance, or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing his or her person, whether or not a guardian has been appointed for such individual. "Personal care" shall not be construed to confine or otherwise constrain a facility's pursuit to develop the skills and abilities of a consumer to become self-sufficient and capable of increasing levels of independent functioning.

"Recovery and rehabilitation supports" means a program that facilitates a consumer's longer-term symptom management and stabilization while preparing the consumer for transitional living units by improving living skills and community socialization. The duration of stay in such a setting shall be established by the Department by rule.

"Restraint" means:

(i) a physical restraint that is any manual method or physical or mechanical device, material, or equipment attached or adjacent to a consumer's body that the consumer cannot remove easily and restricts freedom of movement or normal access to one's body; devices used for positioning, including, but not limited to, bed rails, gait belts, and cushions, shall not be considered to be restraints for purposes of this Section; or

(ii) a chemical restraint that is any drug used for discipline or convenience and not required to treat medical symptoms; the Department shall, by rule, designate certain devices as restraints, including at least all those devices that have been determined to be restraints by the United States Department of Health and Human Services in interpretive guidelines issued for the purposes of administering Titles XVIII and XIX of the federal Social Security Act. For the purposes of this Act, restraint shall be administered only after utilizing a coercive free environment and culture.

"Self-administration of medication" means consumers shall be responsible for the control, management, and use of their own medication.

"Crisis stabilization" means a secure and separate unit that provides short-term behavioral, emotional, or psychiatric crisis stabilization as an alternative to hospitalization or re-hospitalization for consumers from residential or community placement. The duration of stay in such a setting shall not exceed 21 days for each consumer.

"Therapeutic separation" means the removal of a consumer from the milieu to a room or area which is designed to aid in the emotional or psychiatric stabilization of that consumer.

"Triage center" means a non-residential 23-hour center that serves as an alternative to emergency room care, hospitalization, or re-hospitalization for consumers in need of short-term crisis stabilization. Consumers may access a triage center from a number of referral sources, including family, emergency rooms, hospitals, community behavioral health providers, federally qualified health providers, or schools,

including colleges or universities. A triage center may be located in a building separate from the licensed location of a facility, but shall not be more than 1,000 feet from the licensed location of the facility and must meet all of the facility standards applicable to the licensed location. If the triage center does operate in a separate building, safety personnel shall be provided, on site, 24 hours per day and the triage center shall meet all other staffing requirements without counting any staff employed in the main facility building.
(Source: P.A. 99-180, eff. 7-29-15; 100-201, eff. 8-18-17; 100-365, eff. 8-25-17.)

(210 ILCS 49/2-102.5 new)

Sec. 2-102.5. Psychiatric visits. For the purposes of this Act, any required psychiatric visit to a consumer may be conducted by an APRN or by a physician.".

Under the rules, the foregoing **Senate Bill No. 3617**, with House Amendments numbered 1 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. 3626

A bill for AN ACT concerning regulation.

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. 3626

House Amendment No. 2 to SENATE BILL NO. 3626

Passed the House, as amended, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3626

AMENDMENT NO. 1 . Amend Senate Bill 3626 by replacing everything after the enacting clause with the following:

"Section 5. The Solid Waste Site Operator Certification Law is amended by changing Sections 1004, 1005, 1006, 1007, 1009, 1010, and 1011 as follows:

(225 ILCS 230/1004) (from Ch. 111, par. 7854)

Sec. 1004. Prohibition. Beginning January 1, 1992, no person shall cause or allow the operation of a landfill permitted or required to be permitted by the Agency unless the landfill has on its operational staff at least one natural person certified as competent by the Agency under the provisions of this Act.

(a) For landfill sites which accept non-hazardous solid waste ~~other than clean construction or demolition debris~~, the landfill shall have a ~~Class A~~ Solid Waste Site Operator certified by the Agency who is responsible for directing landfill operations or supervising other operational staff in performing landfill operations.

(b) (Blank). ~~For landfill sites which accept only clean construction or demolition debris, the landfill shall have a Class A or B Solid Waste Site Operator certified by the Agency who is responsible for directing landfill operations or supervising other operational staff in performing landfill operations.~~

(c) For landfill sites which accept special waste, the landfill shall have a ~~Class A~~ Solid Waste Site Operator certified by the Agency who has received a certification endorsement for the acceptance of special waste and who is responsible for directing landfill operations or supervising other operational staff in performing landfill operations.
(Source: P.A. 86-1363.)

(225 ILCS 230/1005) (from Ch. 111, par. 7855)

Sec. 1005. Agency authority. The Agency is authorized to exercise the following functions, powers and duties with respect to solid waste site operator certification:

(a) To conduct examinations, as well as to approve the use of examinations conducted by third parties, to ascertain the qualifications of applicants for certificates of competency as solid waste site operators;

(b) To conduct courses of training on the practical aspects of the design, operation and maintenance of sanitary landfills;

(c) To issue a certificate to any applicant who has satisfactorily met all the requirements pertaining to a certificate of competency as a solid waste site operator;

(d) To suspend, revoke or refuse to issue any certificate for any one or any combination of the following causes:

(1) The practice of any fraud or deceit in obtaining or attempting to obtain a certificate of competency;

(2) Negligence or misconduct in the operation of a sanitary landfill;

(3) Repeated failure to comply with any of the requirements applicable to the operation of a sanitary landfill, except for Board requirements applicable to the collection of litter;

(4) Repeated violations of federal, State or local laws, regulations, standards, or ordinances regarding the operation of refuse disposal facilities or sites;

(5) For a holder of a certificate, conviction in this or another State of any crime which is a felony under the laws of this State or conviction of a felony in a federal court; for an applicant, consideration of such conviction shall be in accordance with Section 1005-1;

(6) Proof of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of any hazardous waste; or

(7) Being declared to be a person under a legal disability by a court of competent jurisdiction and not thereafter having been lawfully declared to be a person not under legal disability or to have recovered.

(e) To adopt rules necessary to perform its functions, powers, and duties with respect to solid waste site operator certifications.

(Source: P.A. 100-286, eff. 1-1-18.)

(225 ILCS 230/1006) (from Ch. 111, par. 7856)

Sec. 1006. Certification ~~classifications~~. Solid Waste Site Operators shall be certified in accordance with the following ~~classifications~~:

(a) ~~Class "A"~~ Solid Waste Site Operator certificates shall be issued to those persons who in accordance with the provisions of this Section demonstrate a practical working knowledge of the design, operation, and maintenance of sanitary landfills in the following areas:

(1) unloading, spreading, and compacting of waste, litter collection, and vector abatement;

(2) traffic control of vehicles delivering waste;

(3) application, maintenance, and inspection of cover and cover requirements under Board rules and Agency permits;

(4) fire control, on-site personnel safety requirements, and contingency plan implementation;

(5) leachate control operation, leachate management, and landfill gas management;

(6) identification of classes of waste;

(7) causes for revocation or suspension of certificates;

(8) reporting and recordkeeping required by Board and Agency regulations and Agency permits;

(9) financial assurance and groundwater monitoring requirements;

(10) development and implementation of contingency plans, closure plans, post closure plans, and corrective action; and

(11) requirements for payment of fees.

(b) (Blank). ~~Class "B" Solid Waste Operator Certificates shall be issued to those persons who demonstrate a practical working knowledge of the design, operation, and maintenance of landfill sites accepting only clean construction or demolition debris in the following areas:~~

~~(1) unloading and spreading of waste;~~

~~(2) traffic control of vehicles delivering waste;~~

~~(3) application, maintenance, and inspection of cover and cover requirement under Board rules and Agency permits;~~

~~(4) fire control, on-site personnel safety segments and contingency plan implementation;~~

~~(5) leachate control operation and leachate management;~~

~~(6) identification of classes of waste;~~

~~(7) causes for revocation or suspension of certificates;~~

~~(8) reporting and recordkeeping required by Board and Agency regulations and Agency permits;~~

~~(9) financial assurance and groundwater requirements; and~~

~~(10) development and implementation of contingency plans, closure plans, post closure plans, and corrective action.~~

(c) Special waste certificate endorsements shall be issued to those persons who are certified as ~~Class A~~ Solid Waste Site Operators in accordance with the provisions of this Section, and who demonstrate a practical working knowledge of the design, operation, and maintenance of sanitary landfills relative to the acceptance and disposal of special wastes.

(Source: P.A. 86-1363.)

(225 ILCS 230/1007) (from Ch. 111, par. 7857)

Sec. 1007. Qualifications. Every solid waste site operator certified by the Agency shall be capable of performing his duties without endangering the public health or the environment and without violating the requirements applicable to operation of sanitary landfills; shall be able to read and write English; shall produce evidence acceptable to the Agency as to his ability to maintain and operate properly the structures and equipment entrusted to his care; and shall satisfactorily demonstrate to the Agency a practical working knowledge of the design, operation, and maintenance of sanitary landfills ~~appropriate to the classification for which certification is sought~~. In addition, persons shall be certified ~~as Class "A" or Class "B"~~ based on level of competency determined by examination and in accordance with educational and experience levels as follows:

~~(a) Class "A" Certificates.~~

(1) Graduation from high school or equivalent and not less than 2 years of acceptable study, training, and responsible experience in sanitary landfill operation or management, or not less than 7 years of acceptable study training and responsible experience in operation or management of earth moving equipment; or

(2) Grammar school completion or equivalent and not less than 15 years of acceptable study, training, and responsible experience in sanitary landfill operation or management.

~~(b) Class "B" Certificates.~~

~~(1) Graduation from high school or equivalent and not less than 6 months of acceptable study, training, and responsible experience in sanitary landfill operation or management, or not less than 3 years of acceptable study training and responsible experience in operation or management of earth moving equipment; or~~

~~(2) Grammar school completion or equivalent and not less than 5 years of acceptable study, training, and responsible experience in sanitary landfill operation or management.~~

(Source: P.A. 86-1363.)

(225 ILCS 230/1009) (from Ch. 111, par. 7859)

Sec. 1009. Examinations.

(a) Applicants shall undergo examinations ~~Examinations~~ provided or approved by the Agency ~~shall be given to applicants~~ for the purpose of determining if the applicants can demonstrate a practical working knowledge of the design, operation, and maintenance of sanitary landfills ~~appropriate to the classification for which certification is sought~~. No certificate shall be issued prior to successful completion of the applicable examination.

(b) Examinations ~~shall be~~ conducted or approved by the Agency~~, and~~ shall be held not less frequently than annually. The Agency shall maintain on its website information regarding the examinations~~, at times and places prescribed by the Agency, of which applicants shall be notified in writing~~.

(Source: P.A. 86-1363.)

(225 ILCS 230/1010) (from Ch. 111, par. 7860)

Sec. 1010. Certificates.

(a) The Solid Waste Site Operator Certificate shall certify the competency of the applicant ~~within the class of the certificate issued,~~ and shall show the full name of the applicant, have an identifying number, and be signed by the Director.

(b) Certificates shall be issued for a period of 3 years, with the expiration date being 3 years from the first day of October of the calendar year in which the certificate is issued.

(c) Every 3 years, on or before the October 1 expiration, a certified solid waste site operator shall renew his certificate of competency and pay the required renewal fee. A grace period for renewal will be granted until November 1 of that year before the reinstatement penalty is assessed.

(d) At the time of certificate renewal, the applicant shall certify the completion of 15 hours of continuing education covering the operation of landfills during the preceding 3 years. Continuing education used to satisfy this subsection must be approved by the Agency and must cover the design, operation, and

maintenance of sanitary landfills as set forth in Section 1006 of this Act, and for certificates that include a special waste endorsement, continuing education must cover the operation of landfills relative to the acceptance and disposal of special wastes ~~demonstrate competency in the same manner as a new applicant~~.
(Source: P.A. 86-1363.)

(225 ILCS 230/1011) (from Ch. 111, par. 7861)

Sec. 1011. Fees.

(a) Fees for the issuance or renewal of a Solid Waste Site Operator Certificate shall be as follows:

(1)(A) $400 for issuance or renewal for ~~Class A~~ Solid Waste Site Operators;

(B) (blank); and ~~$200 for issuance or renewal for Class B Solid Waste Site Operators; and~~

(C) $100 for issuance or renewal for special waste endorsements.

(2) If the fee for renewal is not paid within the grace period the above fees for renewal shall each be increased by $ 50.

(b) (Blank). ~~Before the effective date of this amendatory Act of the 98th General Assembly, all fees collected by the Agency under this Section shall be deposited into the Hazardous Waste Occupational Licensing Fund. The Agency is authorized to use monies in the Hazardous Waste Occupational Licensing Fund to perform its functions, powers, and duties under this Section.~~

(c) All ~~On and after the effective date of this amendatory Act of the 98th General Assembly, all~~ fees collected by the Agency under this Section shall be deposited into the Environmental Protection Permit and Inspection Fund to be used in accordance with the provisions of subsection (a) of Section 22.8 of the Environmental Protection Act.
(Source: P.A. 98-692, eff. 7-1-14; 98-822, eff. 8-1-14.)

Section 10. The Illinois Oil and Gas Act is amended by changing Sections 1, 8c, 14, and 19.7 and by adding Section 8e as follows:

(225 ILCS 725/1) (from Ch. 96 1/2, par. 5401)

Sec. 1. Unless the context otherwise requires, the words defined in this Section have the following meanings as used in this Act.

"Person" means any natural person, corporation, association, partnership, governmental agency or other legal entity, receiver, trustee, guardian, executor, administrator, fiduciary or representative of any kind.

"Oil" means natural crude oil or petroleum and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods or by the use of an oil and gas separator and which are not the result of condensation of gas after it leaves the underground reservoir.

"Gas" means all natural gas, including casinghead gas, and all other natural hydrocarbons not defined above as oil.

"Pool" means a natural, underground reservoir containing in whole or in part, a natural accumulation of oil or gas, or both. Each productive zone or stratum of a general structure, which is completely separated from any other zone or stratum in the structure, is deemed a separate "pool" as used herein.

"Field" means the same general surface area which is underlaid or appears to be underlaid by one or more pools.

"Permit" means the Department's written authorization allowing a well to be drilled, deepened, converted, or operated by an owner.

"Permittee" means the owner holding or required to hold the permit, and who is also responsible for paying assessments in accordance with Section 19.7 of this Act and, where applicable, executing and filing the bond associated with the well as principal and who is responsible for compliance with all statutory and regulatory requirements pertaining to the well.

When the right and responsibility for operating a well is vested in a receiver or trustee appointed by a court of competent jurisdiction, the permit shall be issued to the receiver or trustee.

"Orphan Well" means a well for which: (1) no fee assessment under Section 19.7 of this Act has been paid or no other bond coverage has been provided for 2 consecutive years; (2) no oil or gas has been produced from the well or from the lease or unit on which the well is located for 2 consecutive years; and (3) no permittee or owner can be identified or located by the Department. Orphaned wells include wells that may have been drilled for purposes other than those for which a permit is required under this Act if the well is a conduit for oil or salt water intrusions into fresh water zones or onto the surface which may be caused by oil and gas operations.

"Owner" means the person who has the right to drill into and produce from any pool, and to appropriate the production either for the person or for the person and another, or others, or solely for others,

excluding the mineral owner's royalty if the right to drill and produce has been granted under an oil and gas lease. An owner may also be a person granted the right to drill and operate an injection (Class II UIC) well independent of the right to drill for and produce oil or gas. When the right to drill, produce, and appropriate production is held by more than one person, then all persons holding these rights may designate the owner by a written operating agreement or similar written agreement. In the absence of such an agreement, and subject to the provisions of Sections 22.2 and 23.1 through 23.16 of this Act, the owner shall be the person designated in writing by a majority in interest of the persons holding these rights.

"Department" means the Department of Natural Resources.

"Director" means the Director of Natural Resources.

"Mining Board" means the State Mining Board in the Department of Natural Resources, Office of Mines and Minerals.

"Mineral Owner's Royalty" means the share of oil and gas production reserved in an oil and gas lease free of all costs by an owner of the minerals whether denominated royalty or overriding royalty.

"Waste" means "physical waste" as that term is generally understood in the oil and gas industry, and further includes:

(1) the locating, drilling, and producing of any oil or gas well or wells drilled contrary to the valid order, rules and regulations adopted by the Department under the provisions of this Act;

(2) permitting the migration of oil, gas, or water from the stratum in which it is found, into other strata, thereby ultimately resulting in the loss of recoverable oil, gas or both;

(3) the drowning with water of any stratum or part thereof capable of producing oil or gas, except for secondary recovery purposes;

(4) the unreasonable damage to underground, fresh or mineral water supply, workable coal seams, or other mineral deposits in the operations for the discovery, development, production, or handling of oil and gas;

(5) the unnecessary or excessive surface loss or destruction of oil or gas resulting from evaporation, seepage, leakage or fire, especially such loss or destruction incident to or resulting from the escape of gas into the open air in excessive or unreasonable amounts, provided, however, it shall not be unlawful for the operator or owner of any well producing both oil and gas to burn such gas in flares when such gas is, under the other provisions of this Act, lawfully produced, and where there is no market at the well for such escaping gas; and where the same is used for the extraction of casinghead gas, it shall not be unlawful for the operator of the plant after the process of extraction is completed, to burn such residue in flares when there is no market at such plant for such residue gas;

(6) permitting unnecessary fire hazards;

(7) permitting unnecessary damage to or destruction of the surface, soil, animal, fish or aquatic life or property from oil or gas operations.

"Drilling Unit" means the surface area allocated by an order or regulation of the Department to the drilling of a single well for the production of oil or gas from an individual pool.

"Enhanced Recovery Method" means any method used in an effort to recover hydrocarbons from a pool by injection of fluids, gases or other substances to maintain, restore or augment natural reservoir energy, or by introducing immiscible or miscible gases, chemicals, other substances or heat or by in-situ combustion, or by any combination thereof.

"Well-Site Equipment" means any production-related equipment or materials specific to the well, including motors, pumps, pump jacks, tanks, tank batteries, separators, compressors, casing, tubing, and rods.

"Temporary abandonment status" means a well that has received an authorization for temporary abandonment status from the Department.

(Source: P.A. 99-78, eff. 7-20-15.)

(225 ILCS 725/8c) (from Ch. 96 1/2, par. 5414.1)

Sec. 8c. (a) No person shall operate a liquid oil field waste transportation system without a liquid oil field waste transportation permit. The liquid oil field waste transporter assumes legal responsibility for the liquid oil field waste when it first enters the liquid oil field waste transportation system, until it is disposed of in a manner authorized and approved by the Department.

(b) No person shall engage, employ or contract with any other person except a permittee under this Section, to remove liquid oil field waste from his premises.

(c) Every person who engages, employs or contracts with any other person to remove liquid oil field waste from his premises shall maintain detailed records of all such liquid oil field waste removal effectuated

on forms provided by the Department and shall submit such information in such detail and with such frequency, as the Department may require.

(d) Before engaging in the business of removing liquid oil field waste from the on-site collection point, a person shall apply for and obtain a permit from the Department. The application shall be accompanied by a permit fee of $150 ~~$100~~ and by a surety bond covering the period and any renewal thereof for which the permit is issued by a surety company registered in the State, to indemnify the Department for the abatement of pollution of waters which result from any improper disposal of liquid oil field waste by the permittee. The bonds shall be $10,000. The Department shall be the obligee and the bond shall be for the benefit and purpose to indemnify the State for the elimination of harmful or nuisance conditions and for the abatement of any pollution of waters which result from the improper disposal of liquid oil field waste by the permittee.

In lieu of the surety bond, the applicant may provide cash, certificates of deposit, or irrevocable letters of credit under such terms and conditions as the Department may provide by rule.

The surety of any bond posted for the issuance of a liquid oil field waste transportation permit, upon 30 days notice in writing to the Department and to the permittee, may cancel any such bond, but such cancellation shall not affect any rights which shall have accrued on the bond before the effective date of the cancellation.

(e) If the Department, after such investigation as it deems necessary, is satisfied that the applicant has the qualifications, experience, reputation, and equipment to perform the services in a manner not detrimental to the public interest, in a way that will not cause unlawful pollution of the waters of the State and meets the bonding requirements of subsection (d), it shall issue a permit to the applicant.

(f) (1) All trucks or other vehicles used to transport or carry liquid oil field waste shall carry a permit issued by the Department for inspection by its representative or any law enforcement agent. The application for the vehicle permit shall state the make, model and year of the vehicle as well as the capacity of the tank used in transporting liquid oil field waste and such other information as the Department requires. Each application shall be accompanied by a biennial permit fee of $150 ~~$100~~ for each vehicle sought to be licensed, payable to the State, and if the Department, after such investigation as it deems necessary, finds the truck or vehicle and equipment is proper and adequate for the purpose, it shall issue a permit for the use of the vehicle. The permit is not transferable from one vehicle to another. The vehicle permit number shall be printed on a decal furnished by the Department which shall designate the years for which the permit was issued. This decal shall be affixed to the upper right hand corner of the inside of the windshield.

(2) All vehicle permits shall be valid for 2 years. Application for renewal of a permit must be made 30 days prior to the expiration date of the permit. The fee for renewal shall be the same as for the original permit.

(g) (1) The tank shall be kept tightly closed in transit, to prevent the escape of contents.

(2) The permittee shall dispose of all liquid oil field waste in conformance with the provisions of this Section.

(3) The permittee shall not dispose of liquid oil field waste onto or into the ground except at locations specifically approved and permitted by the Department. No liquid oil field waste shall be placed in a location where it could enter any public or private drain, pond, stream or other body of surface or ground water.

(h) Any person who violates or refuses to comply with any of the provisions of this Section shall be subject to the provisions of Sections 8a and 19.1 of this Act. In addition, any person who gathers, handles, transports, or disposes of liquid oil field waste without a liquid oil field waste transportation permit or utilizes the services of an unpermitted person shall upon conviction thereof by a court of competent jurisdiction be fined not less than $2,000 for a violation and costs of prosecution, and in default of payment of fine and costs, imprisoned for not less than 10 days nor more than 30 days. When the violation is of a continuing nature, each day upon which a violation occurs is a separate offense.

(i) For the purposes of this Section:

(1) "Liquid oil field waste" means oil field brines, tank and pit bottom sediments, and drilling and completion fluids, to the extent those wastes are now or hereafter exempt from the provisions of Subtitle C of the federal Resource Conservation and Recovery Act of 1976.

(2) "Liquid oil field waste transportation system" means all trucks and other motor vehicles used to gather, handle or transport liquid oil field waste from the point of any surface on-site collection to any subsequent off-site storage, utilization or disposal.

(Source: P.A. 87-744.)

(225 ILCS 725/8e new)

Sec. 8e. Plugging and temporary abandonment of inactive production wells.

(a) Any idle production well on an active lease or unit that has not had commercial production during the last 24 consecutive months shall be deemed abandoned and plugged unless the well has been approved for temporary abandonment status in accordance with subsection (c).

(b) Any idle production well on an inactive lease or unit, if the lease or unit has not had commercial production during the last 24 consecutive months, shall be deemed abandoned and not eligible for temporary abandonment status, pending a hearing held in in front of the Department in accordance with rules developed for such hearings by the Department.

(c) The permittee shall apply for temporary abandonment status by making written application on forms provided by the Department. The Department shall place the well on temporary abandonment status, if the following conditions, which shall be continuing requirements, are met:

(1) The well:

(A) shall have proper bond in effect in accordance with this Act, if applicable; and

(B) can be the subject of any final administrative decision for abandonment.

(2) The well shall have an intact leak-free wellhead, or be capped with a valve and configured to monitor casing or annular pressure.

(3) If the well is a permitted gas well and the well has a sustained gas pressure at the surface, the requirements of subsection (e) do not apply.

(4) The wellhead shall be above ground level.

(5) The permittee complies with the requirements of subsection (d).

(d) Prior to the Department placing the well on temporary abandonment status, the permittee shall conduct a fluid level test upon the fluid in the well bore, after notice to and under the supervision of a Department representative, using acoustical, wire line, or string line measuring methods. If the Department authorizes the permittee to conduct a fluid level test without the presence of a Department representative, the permittee shall report the fluid level test on a form prescribed by the Department.

(1) If the fluid level in the wellbore is no higher than 100 feet below the base of the fresh water, the Department may grant temporary abandonment status if the conditions in paragraphs (1) through (4) of subsection (c) are met. Unless the permittee elects to satisfy the conditions of subparagraph (A) or (B) of paragraph (3), the permittee shall perform additional fluid level tests, as prescribed in this subsection, every 5 years or until the well is removed from temporary abandoned status.

(2) If the fluid level, as tested, is higher than 100 feet below the base of the fresh water and, at the time of the temporary abandonment status request, the well is listed in active status in the Department's records, the permittee may:

(A) after notice to and under the supervision of a Department representative, remove any fluid to a level 100 feet below the base of the fresh water. At least 48 hours, but not more than 96 hours after the fluid has been removed, the permittee shall measure the fluid level as prescribed in this subsection.

(i) If the fluid level is higher than 100 feet below the base of fresh water, the permittee shall follow the requirements in subparagraph (A) or (B) of paragraph (3); or

(ii) If the fluid level remains more than 100 feet below the base of fresh water, at least 9, but no longer than 12 months from the date that fluid was removed from the well bore, the permittee shall measure the fluid level in accordance with this subsection. If, after the subsequent fluid level test, the fluid level within the wellbore has remained at least 100 feet below the base of fresh water, and the conditions in paragraphs (1) through (4) of subsection (c) continue to be met, the Department shall grant temporary abandonment status for 5 years from the date of the subsequent fluid level test. Thereafter, the permittee shall perform additional fluid level tests, as prescribed in this subsection, every 5 years or until the well is removed from temporary abandonment status; or

(B) elect to follow the requirements of subparagraph (A) or (B) of paragraph (3).

(3) If the fluid level, as tested, is higher than 100 feet below the base of fresh water and, at the time of the temporary abandonment request, the well is listed in temporary abandonment status in the Department's records, the permittee may, after notice to, and under the supervision of, a Department representative:

(A) set a cast iron plug within 200 feet above the uppermost perforated or open hole interval in the cemented portion of the production casing, but no less than 100 feet below the base of the fresh water, remove any fluid to a level at least 100 feet below the base of the freshwater zone, and monitor the fluid level every 5 years in accordance with this subsection; or

(B) set a cast iron plug within 200 feet above the uppermost perforated or open hole interval in the cemented portion of the production casing, but no less than 100 feet below the base of the fresh water, and pressure test the casing by maintaining a pressure of 300 PSIG, which may vary no more than 5%, for a period of 30 minutes. Subsequent pressure tests shall be conducted every 5 years or until the well is removed from temporary abandonment status.

(e) If the Department finds that a well is in violation of the operational requirements set forth in subsection (d), the Department shall issue an order requiring that the well be properly plugged, replugged, or repaired.

(f) If a temporary abandonment request is denied, the permittee shall, within 90 days, plug the well or correct the deficiency that caused the denial and secure an approved temporary abandonment permit.

(g) Temporary abandonment status for production wells shall not be terminated until the well has been inspected by an office well inspector and a temporary abandonment termination request is approved by the Department. Temporary abandonment termination requests shall be on a form prescribed by the Department.

(h) On and after July 1, 2022, temporary abandonment status shall be granted for an initial period of 5 years so long as the well remains in compliance with subsections (c) and (d), and the lease or unit on which the wells are located remains active. Temporary abandonment status may be renewed, in accordance with this subsection and subsections (c) and (d) for successive 5-year periods.

The Department shall grant renewals if the well remains in compliance with this subsection and subsections (c) and (d), and upon the permittee's submission of legitimate economical, geological, or engineering evidence that, based on industry standards, the well remains viable for future oil and gas development purposes.

(i) All wells that are currently in temporary abandonment status as of July 1, 2022 shall remain in temporary abandonment status, unless plugged or placed back into production by the permittee, for 5 years from July 1, 2022, so long as the well remains in compliance with subsections (c), (d), and (h), and thereafter shall be subject to renewal as described herein.

(j) The Department shall assess and collect annual fees of $100 per well for each well that is in temporary abandonment status.

(k) All annual fees collected pursuant to subsection (j) shall be deposited as follows:

(1) one-half of all such fees shall be placed in the Plugging and Restoration Fund; and

(2) one-half of all such fees shall be placed in the Landowner Grant Program.

(l) If a conflict exists between this Section and any provision of this Act, this Section controls.

(225 ILCS 725/14) (from Ch. 96 1/2, par. 5420)

Sec. 14. Each application for a permit to drill, deepen, convert, or amend shall be accompanied by the required fee of $400~~, not to exceed $300, which the Department shall establish by rule~~. The fee for an application for a permit to oil lease road shall be $150. A fee of $75 for the first 100 wells and $50 for each well in excess of 100 ~~of $50 per well~~ shall be paid by the new owner for each transfer of well ownership. Except for the assessments required to be deposited in the Plugging and Restoration Fund under Section 19.7 of this Act and any other deposits required to be deposited in the Plugging and Restoration Fund under this Act, all fees assessed and collected under this Act shall be deposited in the Underground Resources Conservation Enforcement Fund. The monies deposited into the Plugging and Restoration Fund or the Underground Resources Conservation Enforcement Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

On and after July 1, 2022, any fees that are created by or increased by this amendatory Act of the 102nd General Assembly in this Section shall be deposited into the Plugging and Restoration Fund.

(Source: P.A. 97-1136, eff. 1-1-13.)

(225 ILCS 725/19.7) (from Ch. 96 1/2, par. 5430.2)

Sec. 19.7. The Department shall assess and collect annual well fees from each permittee in the amount of $100 ~~$75~~ per well for the first 100 wells and a $75 ~~$50~~ fee for each well in excess of 100 for which a permit is required under this Act.

Fees shall be assessed for each calendar year commencing in 1991 for all wells of record as of July 1, 1991 and July 1 of each year thereafter. The fees assessed by the Department under this Section are in addition to any other fees required by law. All fees assessed under this Section shall be submitted to the

Department no later than 30 days from the date listed on the annual fee assessment letter sent to the permittee. Of the fees assessed and collected by the Department each year under this Section, 50% shall be deposited into the Underground Resources Conservation Enforcement Fund, and 50% shall be deposited into the Plugging and Restoration Fund unless, total fees assessed and collected for any calendar year exceed $1,500,000; then, $750,000 shall be deposited into the Underground Resources Conservation Enforcement Fund and the balance of the fees assessed and collected shall be deposited into the Plugging and Restoration Fund. Upon request of the Department to the Comptroller and Treasurer, the Comptroller and Treasurer shall make any interfund transfers necessary to effect the allocations required by this Section.

The monies deposited into the Plugging and Restoration Fund or the Underground Resources Conservation Enforcement Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.
(Source: P.A. 97-1136, eff. 1-1-13.)".

AMENDMENT NO. 2 TO SENATE BILL 3626

AMENDMENT NO. 2 . Amend Senate Bill 3626 by replacing everything after the enacting clause with the following:

"Section 5. The Solid Waste Site Operator Certification Law is amended by changing Sections 1004, 1005, 1006, 1007, 1009, 1010, and 1011 as follows:

(225 ILCS 230/1004) (from Ch. 111, par. 7854)

Sec. 1004. Prohibition. Beginning January 1, 1992, no person shall cause or allow the operation of a landfill permitted or required to be permitted by the Agency unless the landfill has on its operational staff at least one natural person certified as competent by the Agency under the provisions of this Act.

(a) For landfill sites which accept non-hazardous solid waste ~~other than clean construction or demolition debris~~, the landfill shall have a ~~Class A~~ Solid Waste Site Operator certified by the Agency who is responsible for directing landfill operations or supervising other operational staff in performing landfill operations.

(b) (Blank). ~~For landfill sites which accept only clean construction or demolition debris, the landfill shall have a Class A or B Solid Waste Site Operator certified by the Agency who is responsible for directing landfill operations or supervising other operational staff in performing landfill operations.~~

(c) For landfill sites which accept special waste, the landfill shall have a ~~Class A~~ Solid Waste Site Operator certified by the Agency who has received a certification endorsement for the acceptance of special waste and who is responsible for directing landfill operations or supervising other operational staff in performing landfill operations.
(Source: P.A. 86-1363.)

(225 ILCS 230/1005) (from Ch. 111, par. 7855)

Sec. 1005. Agency authority. The Agency is authorized to exercise the following functions, powers and duties with respect to solid waste site operator certification:

(a) To conduct examinations, as well as to approve the use of examinations conducted by third parties, to ascertain the qualifications of applicants for certificates of competency as solid waste site operators;

(b) To conduct courses of training on the practical aspects of the design, operation and maintenance of sanitary landfills;

(c) To issue a certificate to any applicant who has satisfactorily met all the requirements pertaining to a certificate of competency as a solid waste site operator;

(d) To suspend, revoke or refuse to issue any certificate for any one or any combination of the following causes:

(1) The practice of any fraud or deceit in obtaining or attempting to obtain a certificate of competency;

(2) Negligence or misconduct in the operation of a sanitary landfill;

(3) Repeated failure to comply with any of the requirements applicable to the operation of a sanitary landfill, except for Board requirements applicable to the collection of litter;

(4) Repeated violations of federal, State or local laws, regulations, standards, or ordinances regarding the operation of refuse disposal facilities or sites;

(5) For a holder of a certificate, conviction in this or another State of any crime which is a felony under the laws of this State or conviction of a felony in a federal court; for an applicant, consideration of such conviction shall be in accordance with Section 1005-1;

(6) Proof of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of any hazardous waste; or

(7) Being declared to be a person under a legal disability by a court of competent jurisdiction and not thereafter having been lawfully declared to be a person not under legal disability or to have recovered.

(e) To adopt rules necessary to perform its functions, powers, and duties with respect to solid waste site operator certifications.

(Source: P.A. 100-286, eff. 1-1-18.)

(225 ILCS 230/1006) (from Ch. 111, par. 7856)

Sec. 1006. Certification ~~classifications~~. Solid Waste Site Operators shall be certified in accordance with the following ~~classifications~~:

(a) ~~Class "A"~~ Solid Waste Site Operator certificates shall be issued to those persons who in accordance with the provisions of this Section demonstrate a practical working knowledge of the design, operation, and maintenance of sanitary landfills in the following areas:

(1) unloading, spreading, and compacting of waste, litter collection, and vector abatement;

(2) traffic control of vehicles delivering waste;

(3) application, maintenance, and inspection of cover and cover requirements under Board rules and Agency permits;

(4) fire control, on-site personnel safety requirements, and contingency plan implementation;

(5) leachate control operation, leachate management, and landfill gas management;

(6) identification of classes of waste;

(7) causes for revocation or suspension of certificates;

(8) reporting and recordkeeping required by Board and Agency regulations and Agency permits;

(9) financial assurance and groundwater monitoring requirements;

(10) development and implementation of contingency plans, closure plans, post closure plans, and corrective action; and

(11) requirements for payment of fees.

(b) (Blank). ~~Class "B" Solid Waste Operator Certificates shall be issued to those persons who demonstrate a practical working knowledge of the design, operation, and maintenance of landfill sites accepting only clean construction or demolition debris in the following areas:~~

~~(1) unloading and spreading of waste;~~

~~(2) traffic control of vehicles delivering waste;~~

~~(3) application, maintenance, and inspection of cover and cover requirement under Board rules and Agency permits;~~

~~(4) fire control, on-site personnel safety segments and contingency plan implementation;~~

~~(5) leachate control operation and leachate management;~~

~~(6) identification of classes of waste;~~

~~(7) causes for revocation or suspension of certificates;~~

~~(8) reporting and recordkeeping required by Board and Agency regulations and Agency permits;~~

~~(9) financial assurance and groundwater requirements; and~~

~~(10) development and implementation of contingency plans, closure plans, post closure plans, and corrective action.~~

(c) Special waste certificate endorsements shall be issued to those persons who are certified as ~~Class A~~ Solid Waste Site Operators in accordance with the provisions of this Section, and who demonstrate a practical working knowledge of the design, operation, and maintenance of sanitary landfills relative to the acceptance and disposal of special wastes.

(Source: P.A. 86-1363.)

(225 ILCS 230/1007) (from Ch. 111, par. 7857)

Sec. 1007. Qualifications. Every solid waste site operator certified by the Agency shall be capable of performing his duties without endangering the public health or the environment and without violating the requirements applicable to operation of sanitary landfills; shall be able to read and write English; shall

produce evidence acceptable to the Agency as to his ability to maintain and operate properly the structures and equipment entrusted to his care; and shall satisfactorily demonstrate to the Agency a practical working knowledge of the design, operation, and maintenance of sanitary landfills ~~appropriate to the classification for which certification is sought~~. In addition, persons shall be certified ~~as Class "A" or Class "B"~~ based on level of competency determined by examination and in accordance with educational and experience levels as follows:

~~(a) Class "A" Certificates.~~

(1) Graduation from high school or equivalent and not less than 2 years of acceptable study, training, and responsible experience in sanitary landfill operation or management, or not less than 7 years of acceptable study training and responsible experience in operation or management of earth moving equipment; or

(2) Grammar school completion or equivalent and not less than 15 years of acceptable study, training, and responsible experience in sanitary landfill operation or management.

~~(b) Class "B" Certificates.~~

~~(1) Graduation from high school or equivalent and not less than 6 months of acceptable study, training, and responsible experience in sanitary landfill operation or management, or not less than 3 years of acceptable study training and responsible experience in operation or management of earth moving equipment; or~~

~~(2) Grammar school completion or equivalent and not less than 5 years of acceptable study, training, and responsible experience in sanitary landfill operation or management.~~

(Source: P.A. 86-1363.)

(225 ILCS 230/1009) (from Ch. 111, par. 7859)

Sec. 1009. Examinations.

(a) Applicants shall undergo examinations ~~Examinations~~ provided or approved by the Agency ~~shall be given to applicants~~ for the purpose of determining if the applicants can demonstrate a practical working knowledge of the design, operation, and maintenance of sanitary landfills ~~appropriate to the classification for which certification is sought~~. No certificate shall be issued prior to successful completion of the applicable examination.

(b) Examinations ~~shall be~~ conducted or approved by the Agency~~, and~~ shall be held not less frequently than annually. The Agency shall maintain on its website information regarding the examinations~~, at times and places prescribed by the Agency, of which applicants shall be notified in writing~~.

(Source: P.A. 86-1363.)

(225 ILCS 230/1010) (from Ch. 111, par. 7860)

Sec. 1010. Certificates.

(a) The Solid Waste Site Operator Certificate shall certify the competency of the applicant ~~within the class of the certificate issued,~~ and shall show the full name of the applicant, have an identifying number, and be signed by the Director.

(b) Certificates shall be issued for a period of 3 years, with the expiration date being 3 years from the first day of October of the calendar year in which the certificate is issued.

(c) Every 3 years, on or before the October 1 expiration, a certified solid waste site operator shall renew his certificate of competency and pay the required renewal fee. A grace period for renewal will be granted until November 1 of that year before the reinstatement penalty is assessed.

(d) At the time of certificate renewal, the applicant shall certify the completion of 15 hours of continuing education covering the operation of landfills during the preceding 3 years. Continuing education used to satisfy this subsection must be approved by the Agency and must cover the design, operation, and maintenance of sanitary landfills as set forth in Section 1006 of this Act, and for certificates that include a special waste endorsement, continuing education must cover the operation of landfills relative to the acceptance and disposal of special wastes ~~demonstrate competency in the same manner as a new applicant~~.

(Source: P.A. 86-1363.)

(225 ILCS 230/1011) (from Ch. 111, par. 7861)

Sec. 1011. Fees.

(a) Fees for the issuance or renewal of a Solid Waste Site Operator Certificate shall be as follows:

(1)(A) $400 for issuance or renewal for ~~Class A~~ Solid Waste Site Operators;

(B) (blank); and ~~$200 for issuance or renewal for Class B Solid Waste Site Operators; and~~

(C) $100 for issuance or renewal for special waste endorsements.

(2) If the fee for renewal is not paid within the grace period the above fees for renewal shall each be increased by $ 50.

(b) (Blank). ~~Before the effective date of this amendatory Act of the 98th General Assembly, all fees collected by the Agency under this Section shall be deposited into the Hazardous Waste Occupational Licensing Fund. The Agency is authorized to use monies in the Hazardous Waste Occupational Licensing Fund to perform its functions, powers, and duties under this Section.~~

(c) All ~~On and after the effective date of this amendatory Act of the 98th General Assembly, all~~ fees collected by the Agency under this Section shall be deposited into the Environmental Protection Permit and Inspection Fund to be used in accordance with the provisions of subsection (a) of Section 22.8 of the Environmental Protection Act.

(Source: P.A. 98-692, eff. 7-1-14; 98-822, eff. 8-1-14.)

Section 10. The Illinois Oil and Gas Act is amended by changing Sections 1, 8c, 14, and 19.7 and by adding Section 8e as follows:

(225 ILCS 725/1) (from Ch. 96 1/2, par. 5401)

Sec. 1. Unless the context otherwise requires, the words defined in this Section have the following meanings as used in this Act.

"Person" means any natural person, corporation, association, partnership, governmental agency or other legal entity, receiver, trustee, guardian, executor, administrator, fiduciary or representative of any kind.

"Oil" means natural crude oil or petroleum and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods or by the use of an oil and gas separator and which are not the result of condensation of gas after it leaves the underground reservoir.

"Gas" means all natural gas, including casinghead gas, and all other natural hydrocarbons not defined above as oil.

"Pool" means a natural, underground reservoir containing in whole or in part, a natural accumulation of oil or gas, or both. Each productive zone or stratum of a general structure, which is completely separated from any other zone or stratum in the structure, is deemed a separate "pool" as used herein.

"Field" means the same general surface area which is underlaid or appears to be underlaid by one or more pools.

"Permit" means the Department's written authorization allowing a well to be drilled, deepened, converted, or operated by an owner.

"Permittee" means the owner holding or required to hold the permit, and who is also responsible for paying assessments in accordance with Section 19.7 of this Act and, where applicable, executing and filing the bond associated with the well as principal and who is responsible for compliance with all statutory and regulatory requirements pertaining to the well.

When the right and responsibility for operating a well is vested in a receiver or trustee appointed by a court of competent jurisdiction, the permit shall be issued to the receiver or trustee.

"Orphan Well" means a well for which: (1) no fee assessment under Section 19.7 of this Act has been paid or no other bond coverage has been provided for 2 consecutive years; (2) no oil or gas has been produced from the well or from the lease or unit on which the well is located for 2 consecutive years; and (3) no permittee or owner can be identified or located by the Department. Orphaned wells include wells that may have been drilled for purposes other than those for which a permit is required under this Act if the well is a conduit for oil or salt water intrusions into fresh water zones or onto the surface which may be caused by oil and gas operations.

"Owner" means the person who has the right to drill into and produce from any pool, and to appropriate the production either for the person or for the person and another, or others, or solely for others, excluding the mineral owner's royalty if the right to drill and produce has been granted under an oil and gas lease. An owner may also be a person granted the right to drill and operate an injection (Class II UIC) well independent of the right to drill for and produce oil or gas. When the right to drill, produce, and appropriate production is held by more than one person, then all persons holding these rights may designate the owner by a written operating agreement or similar written agreement. In the absence of such an agreement, and subject to the provisions of Sections 22.2 and 23.1 through 23.16 of this Act, the owner shall be the person designated in writing by a majority in interest of the persons holding these rights.

"Department" means the Department of Natural Resources.

"Director" means the Director of Natural Resources.

"Mining Board" means the State Mining Board in the Department of Natural Resources, Office of Mines and Minerals.

"Mineral Owner's Royalty" means the share of oil and gas production reserved in an oil and gas lease free of all costs by an owner of the minerals whether denominated royalty or overriding royalty.

"Waste" means "physical waste" as that term is generally understood in the oil and gas industry, and further includes:

(1) the locating, drilling, and producing of any oil or gas well or wells drilled contrary to the valid order, rules and regulations adopted by the Department under the provisions of this Act;

(2) permitting the migration of oil, gas, or water from the stratum in which it is found, into other strata, thereby ultimately resulting in the loss of recoverable oil, gas or both;

(3) the drowning with water of any stratum or part thereof capable of producing oil or gas, except for secondary recovery purposes;

(4) the unreasonable damage to underground, fresh or mineral water supply, workable coal seams, or other mineral deposits in the operations for the discovery, development, production, or handling of oil and gas;

(5) the unnecessary or excessive surface loss or destruction of oil or gas resulting from evaporation, seepage, leakage or fire, especially such loss or destruction incident to or resulting from the escape of gas into the open air in excessive or unreasonable amounts, provided, however, it shall not be unlawful for the operator or owner of any well producing both oil and gas to burn such gas in flares when such gas is, under the other provisions of this Act, lawfully produced, and where there is no market at the well for such escaping gas; and where the same is used for the extraction of casinghead gas, it shall not be unlawful for the operator of the plant after the process of extraction is completed, to burn such residue in flares when there is no market at such plant for such residue gas;

(6) permitting unnecessary fire hazards;

(7) permitting unnecessary damage to or destruction of the surface, soil, animal, fish or aquatic life or property from oil or gas operations.

"Drilling Unit" means the surface area allocated by an order or regulation of the Department to the drilling of a single well for the production of oil or gas from an individual pool.

"Enhanced Recovery Method" means any method used in an effort to recover hydrocarbons from a pool by injection of fluids, gases or other substances to maintain, restore or augment natural reservoir energy, or by introducing immiscible or miscible gases, chemicals, other substances or heat or by in-situ combustion, or by any combination thereof.

"Well-Site Equipment" means any production-related equipment or materials specific to the well, including motors, pumps, pump jacks, tanks, tank batteries, separators, compressors, casing, tubing, and rods.

"Temporary abandonment status" means a well that has received an authorization for temporary abandonment status from the Department.

(Source: P.A. 99-78, eff. 7-20-15.)

(225 ILCS 725/8c) (from Ch. 96 1/2, par. 5414.1)

Sec. 8c. (a) No person shall operate a liquid oil field waste transportation system without a liquid oil field waste transportation permit. The liquid oil field waste transporter assumes legal responsibility for the liquid oil field waste when it first enters the liquid oil field waste transportation system, until it is disposed of in a manner authorized and approved by the Department.

(b) No person shall engage, employ or contract with any other person except a permittee under this Section, to remove liquid oil field waste from his premises.

(c) Every person who engages, employs or contracts with any other person to remove liquid oil field waste from his premises shall maintain detailed records of all such liquid oil field waste removal effectuated on forms provided by the Department and shall submit such information in such detail and with such frequency, as the Department may require.

(d) Before engaging in the business of removing liquid oil field waste from the on-site collection point, a person shall apply for and obtain a permit from the Department. The application shall be accompanied by a permit fee of $150 ~~$100~~ and by a surety bond covering the period and any renewal thereof for which the permit is issued by a surety company registered in the State, to indemnify the Department for the abatement of pollution of waters which result from any improper disposal of liquid oil field waste by the permittee. The bonds shall be $10,000. The Department shall be the obligee and the bond shall be for the benefit and purpose to indemnify the State for the elimination of harmful or nuisance

conditions and for the abatement of any pollution of waters which result from the improper disposal of liquid oil field waste by the permittee.

In lieu of the surety bond, the applicant may provide cash, certificates of deposit, or irrevocable letters of credit under such terms and conditions as the Department may provide by rule.

The surety of any bond posted for the issuance of a liquid oil field waste transportation permit, upon 30 days notice in writing to the Department and to the permittee, may cancel any such bond, but such cancellation shall not affect any rights which shall have accrued on the bond before the effective date of the cancellation.

(e) If the Department, after such investigation as it deems necessary, is satisfied that the applicant has the qualifications, experience, reputation, and equipment to perform the services in a manner not detrimental to the public interest, in a way that will not cause unlawful pollution of the waters of the State and meets the bonding requirements of subsection (d), it shall issue a permit to the applicant.

(f) (1) All trucks or other vehicles used to transport or carry liquid oil field waste shall carry a permit issued by the Department for inspection by its representative or any law enforcement agent. The application for the vehicle permit shall state the make, model and year of the vehicle as well as the capacity of the tank used in transporting liquid oil field waste and such other information as the Department requires. Each application shall be accompanied by a biennial permit fee of $150 ~~$100~~ for each vehicle sought to be licensed, payable to the State, and if the Department, after such investigation as it deems necessary, finds the truck or vehicle and equipment is proper and adequate for the purpose, it shall issue a permit for the use of the vehicle. The permit is not transferable from one vehicle to another. The vehicle permit number shall be printed on a decal furnished by the Department which shall designate the years for which the permit was issued. This decal shall be affixed to the upper right hand corner of the inside of the windshield.

(2) All vehicle permits shall be valid for 2 years. Application for renewal of a permit must be made 30 days prior to the expiration date of the permit. The fee for renewal shall be the same as for the original permit.

(g) (1) The tank shall be kept tightly closed in transit, to prevent the escape of contents.

(2) The permittee shall dispose of all liquid oil field waste in conformance with the provisions of this Section.

(3) The permittee shall not dispose of liquid oil field waste onto or into the ground except at locations specifically approved and permitted by the Department. No liquid oil field waste shall be placed in a location where it could enter any public or private drain, pond, stream or other body of surface or ground water.

(h) Any person who violates or refuses to comply with any of the provisions of this Section shall be subject to the provisions of Sections 8a and 19.1 of this Act. In addition, any person who gathers, handles, transports, or disposes of liquid oil field waste without a liquid oil field waste transportation permit or utilizes the services of an unpermitted person shall upon conviction thereof by a court of competent jurisdiction be fined not less than $2,000 for a violation and costs of prosecution, and in default of payment of fine and costs, imprisoned for not less than 10 days nor more than 30 days. When the violation is of a continuing nature, each day upon which a violation occurs is a separate offense.

(i) For the purposes of this Section:

(1) "Liquid oil field waste" means oil field brines, tank and pit bottom sediments, and drilling and completion fluids, to the extent those wastes are now or hereafter exempt from the provisions of Subtitle C of the federal Resource Conservation and Recovery Act of 1976.

(2) "Liquid oil field waste transportation system" means all trucks and other motor vehicles used to gather, handle or transport liquid oil field waste from the point of any surface on-site collection to any subsequent off-site storage, utilization or disposal.

(Source: P.A. 87-744.)

(225 ILCS 725/8e new)

Sec. 8e. Temporary abandonment status fees.

(a) The Department shall assess and collect annual fees of $100 per well for each well that is in temporary abandonment status.

(b) All annual fees collected pursuant to subsection (a) shall be deposited as follows:

(1) one-half of all such fees shall be placed in the Plugging and Restoration Fund; and

(2) one-half of all such fees shall be placed in the Landowner Grant Program.

(225 ILCS 725/14) (from Ch. 96 1/2, par. 5420)

Sec. 14. Each application for a permit to drill, deepen, convert, or amend shall be accompanied by the required fee of $400~~, not to exceed $300, which the Department shall establish by rule~~. The fee for an application for a permit to oil lease road shall be $150. A fee of $75 for the first 100 wells and $50 for each well in excess of 100 ~~of $50 per well~~ shall be paid by the new owner for each transfer of well ownership. Except for the assessments required to be deposited in the Plugging and Restoration Fund under Section 19.7 of this Act and any other deposits required to be deposited in the Plugging and Restoration Fund under this Act, all fees assessed and collected under this Act shall be deposited in the Underground Resources Conservation Enforcement Fund. The monies deposited into the Plugging and Restoration Fund or the Underground Resources Conservation Enforcement Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

On and after July 1, 2022, any fees that are created by or increased by this amendatory Act of the 102nd General Assembly in this Section shall be deposited into the Plugging and Restoration Fund.

(Source: P.A. 97-1136, eff. 1-1-13.)

(225 ILCS 725/19.7) (from Ch. 96 1/2, par. 5430.2)

Sec. 19.7. The Department shall assess and collect annual well fees from each permittee in the amount of $100 ~~$75~~ per well for the first 100 wells and a $75 ~~$50~~ fee for each well in excess of 100 for which a permit is required under this Act.

Fees shall be assessed for each calendar year commencing in 1991 for all wells of record as of July 1, 1991 and July 1 of each year thereafter. The fees assessed by the Department under this Section are in addition to any other fees required by law. All fees assessed under this Section shall be submitted to the Department no later than 30 days from the date listed on the annual fee assessment letter sent to the permittee. Of the fees assessed and collected by the Department each year under this Section, 50% shall be deposited into the Underground Resources Conservation Enforcement Fund, and 50% shall be deposited into the Plugging and Restoration Fund unless, total fees assessed and collected for any calendar year exceed $1,500,000; then, $750,000 shall be deposited into the Underground Resources Conservation Enforcement Fund and the balance of the fees assessed and collected shall be deposited into the Plugging and Restoration Fund. Upon request of the Department to the Comptroller and Treasurer, the Comptroller and Treasurer shall make any interfund transfers necessary to effect the allocations required by this Section.

The monies deposited into the Plugging and Restoration Fund or the Underground Resources Conservation Enforcement Fund under this Section shall not be subject to administrative charges or chargebacks unless otherwise authorized by this Act.

(Source: P.A. 97-1136, eff. 1-1-13.)".

Under the rules, the foregoing **Senate Bill No. 3626**, with House Amendments numbered 1 and 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. 3707

A bill for AN ACT concerning State government.

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

House Amendment No. 1 to SENATE BILL NO. 3707

Passed the House, as amended, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3707

AMENDMENT NO. 1 . Amend Senate Bill 3707 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Act on the Aging is amended by adding Section 4.02h as follows:

(20 ILCS 105/4.02h new)

Sec. 4.02h. Community Care Program; dementia training.

(a) This Section shall apply to any person who is employed by the Department, or by an agency that is contracted with the Department, to provide direct services to individuals participating in the Community Care Program.

(b) Dementia training of at least 2 hours shall be completed at the start of employment with the Department or contractor. Persons who are employees of the Department or a contractor on the effective date of this amendatory Act of the 102nd General Assembly shall complete this training within 6 months after the effective date of this amendatory Act of the 102nd General Assembly. The training shall cover the following subjects:

(1) Alzheimer's disease and dementia.

(2) Safety risks.

(3) Communication and behavior.

(c) Annual continuing education training shall include at least 2 hours of dementia training covering the subjects described in subsection (b).

(d) This Section is designed to improve the quality of training for Community Care Program direct service workers. If laws or rules existing on the effective date of this amendatory Act of the 102nd General Assembly contain more rigorous dementia training requirements for employees or contractors providing direct services to Community Care Program participants, those laws or rules shall apply. An individual who is required to receive dementia training under other laws and rules may be considered exempt, as long as the requirement includes a minimum 2 hours of dementia training. The individual shall be required to show proof he or she received the training required under this Section.

(e) The Department may adopt rules for the administration of this Section.".

Under the rules, the foregoing **Senate Bill No. 3707**, with House Amendment No. 1, was referred to the Secretary's Desk.

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

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

SENATE BILL NO. 3490
A bill for AN ACT concerning LGBTQ older adults.

SENATE BILL NO. 3495
A bill for AN ACT concerning transportation.

SENATE BILL NO. 3497
A bill for AN ACT concerning local government.

SENATE BILL NO. 3498
A bill for AN ACT concerning health.

SENATE BILL NO. 3625
A bill for AN ACT concerning finance.

SENATE BILL NO. 3651
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 3652
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 3661
A bill for AN ACT concerning revenue.

SENATE BILL NO. 3663
A bill for AN ACT concerning education.

SENATE BILL NO. 3667
A bill for AN ACT concerning civil law.

Passed the House, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

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

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

SENATE BILL NO. 3709
A bill for AN ACT concerning education.
SENATE BILL NO. 3762
A bill for AN ACT concerning veterans.
SENATE BILL NO. 3778
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 3785
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 3786
A bill for AN ACT concerning State government.
SENATE BILL NO. 3787
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3789
A bill for AN ACT concerning local government.
SENATE BILL NO. 3790
A bill for AN ACT concerning State government.
SENATE BILL NO. 3792
A bill for AN ACT concerning education.
Passed the House, March 31, 2022.

JOHN W. HOLLMAN, Clerk of the House

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1175, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1464, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1563, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3220, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4219, sponsored by Senator Crowe, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5246, sponsored by Senator Loughran Cappel, 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 D. Turner, as chief co-sponsor pursuant to Senate Rule 5-1(b)(ii), **House Bill No. 4209** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, as chief co-sponsor pursuant to Senate Rule 5-1(b)(ii), **House Bill No. 4639** was taken up, read by title a second time and ordered to a third reading.

HOUSE BILL RECALLED

On motion of Senator Cunningham, **House Bill No. 625** was recalled from the order of third reading to the order of second reading.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 625

AMENDMENT NO. 1 . Amend House Bill 625 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 13-207 as follows:
(735 ILCS 5/13-207) (from Ch. 110, par. 13-207)
Sec. 13-207. Counterclaim or set-off. A defendant may plead a set-off or counterclaim barred by the statute of limitation or the statute of repose, while held and owned by him or her, to any action, the cause of which was owned by the plaintiff or person under whom he or she claims, before such set-off or counterclaim was so barred, and not otherwise. This section shall not affect the right of a bona fide assignee of a negotiable instrument assigned before due. The changes made to this Section by this amendatory Act of the 102nd General Assembly apply to claims initiated on or after the effective date of this amendatory Act of the 102nd General Assembly.
(Source: P.A. 83-707.)

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

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

AMENDMENT NO. 2 TO HOUSE BILL 625

AMENDMENT NO. 2 . Amend House Bill 625 by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 13-207 as follows:
(735 ILCS 5/13-207) (from Ch. 110, par. 13-207)
Sec. 13-207. Counterclaim or set-off. A defendant may plead a set-off or counterclaim barred by the statute of limitation or the statute of repose, while held and owned by him or her, to any action, the cause of which was owned by the plaintiff or person under whom he or she claims, before such set-off or counterclaim was so barred, and not otherwise. This section shall not affect the right of a bona fide assignee of a negotiable instrument assigned before due. The changes made to this Section by this amendatory Act of the 102nd General Assembly apply to claims initiated on or after the effective date of this amendatory Act of the 102nd General Assembly and to claims intentionally filed to preclude a defendant a reasonable opportunity to file a counterclaim within the original limitation period.
(Source: P.A. 83-707.)

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

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Cunningham, **House Bill No. 625** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.
And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 51; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Cunningham, **House Bill No. 1208** 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 6.

The following voted in the affirmative:

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

The following voted in the negative:

Bailey	Plummer	Stewart
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 Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Fine, **House Bill No. 3118** 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 3118

AMENDMENT NO. 1 . Amend House Bill 3118 on page 2, line 15, after the period, by inserting ""Barrier mosquitocide" does not include a product that is exempt from registration under the Federal Insecticide, Fungicide, and Rodenticide Act, or rules adopted pursuant to that Act."; and

on page 11, line 7, by replacing "between October 15 and April 15" with "between October 16 and April 14"; and

on page 11, line 10, by replacing "between October 15 and April 15" with "between October 16 and April 14"; and

on page 11, line 14, by replacing "between October 15 and April 15" with "between October 16 and April 14".

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 Fine, **House Bill No. 3118** 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:

Anderson	Fine	McClure	Stewart
Aquino	Fowler	McConchie	Stoller
Bailey	Gillespie	Morrison	Syverson
Barickman	Glowiak Hilton	Muñoz	Tracy
Belt	Harris	Murphy	Turner, D.
Bryant	Hastings	Pacione-Zayas	Turner, S.
Castro	Holmes	Pappas	Villa
Connor	Hunter	Peters	Villanueva
Cunningham	Johnson	Rezin	Villivalam
Curran	Koehler	Rose	Wilcox
DeWitte	Lightford	Simmons	Mr. President
Ellman	Loughran Cappel	Sims	
Feigenholtz	Martwick	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 Feigenholtz, **House Bill No. 3205** was recalled from the order of third reading to the order of second reading.

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 3205

AMENDMENT NO. 3 . Amend House Bill 3205 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Fair Food and Retail Delivery Act.

Section 5. Definitions. As used in this Act:

"Agreement" means a written agreement between a merchant and a third-party delivery service.

"Customer" means the person, business, or other entity that places an order for a merchant's products through a digital network.

"Digital network" means a third-party delivery service's Internet site or online-enabled application, software, or system that allows a customer to view, search, and purchase products for delivery by a third-party delivery service to a customer.

"Likeness" means identifiable symbols attributed and easily identified as belonging to a specific merchant or retailer.

"Merchant" means a restaurant, bar, or other retail entity.

"Third-party delivery service" means a company, organization, person, or entity outside of the operation of the merchant's business, not wholly owned by the merchant, that provides delivery services to customers through a digital network.

"Third-party delivery service driver" means an individual that provides delivery services on behalf of a third-party delivery service to customers.

Section 10. Third-party use of merchant likenesses and delivery. A third-party delivery service may not purchase or use the name, likeness, registered trademark, or intellectual property belonging to a merchant, and may not take or arrange for the pickup or delivery of an order from a merchant through a digital network, without first obtaining written consent from the merchant.

Section 15. Indemnity agreements void. An agreement between a merchant and third-party food delivery service for the provision of limited third-party delivery services entered into or renewed after the effective date of this Act may not include a provision that requires a merchant to indemnify a third-party delivery service, an independent contractor of the third-party delivery service, a third-party delivery service driver, or a registered agent of the third-party delivery service for any damages or harm partially or wholly caused by or resulting from the third-party delivery service, an independent contractor of the third-party delivery service, a third-party delivery service driver, or a registered agent of the third-party delivery service.

Section 20. Enforcement and penalties. A merchant whose likeness is used, or pickup or delivery is arranged through a third-party delivery service in violation of Section 10, may bring an action in the circuit court in the county in which the merchant conducts business to recover actual damages or up to $5,000, whichever is greater. The court may, in its discretion, award punitive damages and other equitable relief it deems appropriate.".

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 Feigenholtz, **House Bill No. 3205** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Harris, **House Bill No. 3465** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stewart
Aquino	Gillespie	McConchie	Stoller
Bailey	Glowiak Hilton	Morrison	Syverson
Barickman	Harris	Muñoz	Tracy
Belt	Hastings	Murphy	Turner, D.
Bryant	Holmes	Pacione-Zayas	Turner, S.
Castro	Hunter	Pappas	Villa
Connor	Johnson	Peters	Villanueva
Cunningham	Jones, E.	Plummer	Villivalam
Curran	Joyce	Rezin	Wilcox
DeWitte	Koehler	Rose	Mr. President
Ellman	Lightford	Simmons	
Feigenholtz	Loughran Cappel	Sims	
Fine	Martwick	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 Muñoz, **House Bill No. 3949** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Cunningham, **House Bill No. 4126** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

Feigenholtz	Lightford	Sims	

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

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

On motion of Senator Simmons, **House Bill No. 4430** 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 37; NAYS 12.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Plummer	Stoller
Bailey	Rezin	Syverson
Bryant	Rose	Tracy
Fowler	Stewart	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 and ask their concurrence in the Senate Amendment adopted thereto.

HOUSE BILL RECALLED

On motion of Senator Joyce, **House Bill No. 4382** was recalled from the order of third reading to the order of second reading.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4382

AMENDMENT NO. 1 . Amend House Bill 4382 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by changing Sections 2-202, 8-406, and 8-406.1 as follows:

(220 ILCS 5/2-202) (from Ch. 111 2/3, par. 2-202)

Sec. 2-202. Policy; Public Utility Fund; tax.

(a) It is declared to be the public policy of this State that in order to maintain and foster the effective regulation of public utilities under this Act in the interests of the People of the State of Illinois and the

public utilities as well, the public utilities subject to regulation under this Act and which enjoy the privilege of operating as public utilities in this State, shall bear the expense of administering this Act by means of a tax on such privilege measured by the annual gross revenue of such public utilities in the manner provided in this Section. For purposes of this Section, "expense of administering this Act" includes any costs incident to studies, whether made by the Commission or under contract entered into by the Commission, concerning environmental pollution problems caused or contributed to by public utilities and the means for eliminating or abating those problems. Such proceeds shall be deposited in the Public Utility Fund in the State treasury.

(b) All of the ordinary and contingent expenses of the Commission incident to the administration of this Act shall be paid out of the Public Utility Fund except the compensation of the members of the Commission which shall be paid from the General Revenue Fund. Notwithstanding other provisions of this Act to the contrary, the ordinary and contingent expenses of the Commission incident to the administration of the Illinois Commercial Transportation Law may be paid from appropriations from the Public Utility Fund through the end of fiscal year 1986.

(c) A tax is imposed upon each public utility subject to the provisions of this Act equal to .08% of its gross revenue for each calendar year commencing with the calendar year beginning January 1, 1982, except that the Commission may, by rule, establish a different rate no greater than 0.1%. For purposes of this Section, "gross revenue" shall not include revenue from the production, transmission, distribution, sale, delivery, or furnishing of electricity. "Gross revenue" shall not include amounts paid by telecommunications retailers under the Telecommunications Infrastructure Maintenance Fee Act.

(d) Annual gross revenue returns shall be filed in accordance with paragraph (1) or (2) of this subsection (d).

(1) Except as provided in paragraph (2) of this subsection (d), on or before January 10 of each year each public utility subject to the provisions of this Act shall file with the Commission an estimated annual gross revenue return containing an estimate of the amount of its gross revenue for the calendar year commencing January 1 of said year and a statement of the amount of tax due for said calendar year on the basis of that estimate. Public utilities may also file revised returns containing updated estimates and updated amounts of tax due during the calendar year. These revised returns, if filed, shall form the basis for quarterly payments due during the remainder of the calendar year. In addition, on or before March 31 of each year, each public utility shall file an amended return showing the actual amount of gross revenues shown by the company's books and records as of December 31 of the previous year. Forms and instructions for such estimated, revised, and amended returns shall be devised and supplied by the Commission.

(2) Beginning with returns due after January 1, 2002, the requirements of paragraph (1) of this subsection (d) shall not apply to any public utility in any calendar year for which the total tax the public utility owes under this Section is less than $10,000. For such public utilities with respect to such years, the public utility shall file with the Commission, on or before March 31 of the following year, an annual gross revenue return for the year and a statement of the amount of tax due for that year on the basis of such a return. Forms and instructions for such returns and corrected returns shall be devised and supplied by the Commission.

(e) All returns submitted to the Commission by a public utility as provided in this subsection (e) or subsection (d) of this Section shall contain or be verified by a written declaration by an appropriate officer of the public utility that the return is made under the penalties of perjury. The Commission may audit each such return submitted and may, under the provisions of Section 5-101 of this Act, take such measures as are necessary to ascertain the correctness of the returns submitted. The Commission has the power to direct the filing of a corrected return by any utility which has filed an incorrect return and to direct the filing of a return by any utility which has failed to submit a return. A taxpayer's signing a fraudulent return under this Section is perjury, as defined in Section 32-2 of the Criminal Code of 2012.

(f) (1) For all public utilities subject to paragraph (1) of subsection (d), at least one quarter of the annual amount of tax due under subsection (c) shall be paid to the Commission on or before the tenth day of January, April, July, and October of the calendar year subject to tax. In the event that an adjustment in the amount of tax due should be necessary as a result of the filing of an amended or corrected return under subsection (d) or subsection (e) of this Section, the amount of any deficiency shall be paid by the public utility together with the amended or corrected return and the amount of any excess shall, after the filing of a claim for credit by the public utility, be returned to the public utility in the form of a credit memorandum in the amount of such excess or be refunded to the public utility in accordance with the provisions of

subsection (k) of this Section. However, if such deficiency or excess is less than $1, then the public utility need not pay the deficiency and may not claim a credit.

(2) Any public utility subject to paragraph (2) of subsection (d) shall pay the amount of tax due under subsection (c) on or before March 31 next following the end of the calendar year subject to tax. In the event that an adjustment in the amount of tax due should be necessary as a result of the filing of a corrected return under subsection (e), the amount of any deficiency shall be paid by the public utility at the time the corrected return is filed. Any excess tax payment by the public utility shall be returned to it after the filing of a claim for credit, in the form of a credit memorandum in the amount of the excess. However, if such deficiency or excess is less than $1, the public utility need not pay the deficiency and may not claim a credit.

(g) Each installment or required payment of the tax imposed by subsection (c) becomes delinquent at midnight of the date that it is due. Failure to make a payment as required by this Section shall result in the imposition of a late payment penalty, an underestimation penalty, or both, as provided by this subsection. The late payment penalty shall be the greater of:

(1) $25 for each month or portion of a month that the installment or required payment is unpaid or

(2) an amount equal to the difference between what should have been paid on the due date, based upon the most recently filed estimated, annual, or amended return, and what was actually paid, times 1%, for each month or portion of a month that the installment or required payment goes unpaid. This penalty may be assessed as soon as the installment or required payment becomes delinquent.

The underestimation penalty shall apply to those public utilities subject to paragraph (1) of subsection (d) and shall be calculated after the filing of the amended return. It shall be imposed if the amount actually paid on any of the dates specified in subsection (f) is not equal to at least one-fourth of the amount actually due for the year, and shall equal the greater of:

(1) $25 for each month or portion of a month that the amount due is unpaid or

(2) an amount equal to the difference between what should have been paid, based on the amended return, and what was actually paid as of the date specified in subsection (f), times a percentage equal to 1/12 of the sum of 10% and the percentage most recently established by the Commission for interest to be paid on customer deposits under 83 Ill. Adm. Code 280.70(e)(1), for each month or portion of a month that the amount due goes unpaid, except that no underestimation penalty shall be assessed if the amount actually paid on or before each of the dates specified in subsection (f) was based on an estimate of gross revenues at least equal to the actual gross revenues for the previous year. The Commission may enforce the collection of any delinquent installment or payment, or portion thereof by legal action or in any other manner by which the collection of debts due the State of Illinois may be enforced under the laws of this State. The executive director or his designee may excuse the payment of an assessed penalty or a portion of an assessed penalty if he determines that enforced collection of the penalty as assessed would be unjust.

(h) All sums collected by the Commission under the provisions of this Section shall be paid promptly after the receipt of the same, accompanied by a detailed statement thereof, into the Public Utility Fund in the State treasury.

(i) During the month of October of each odd-numbered year the Commission shall:

(1) determine the amount of all moneys deposited in the Public Utility Fund during the preceding fiscal biennium plus the balance, if any, in that fund at the beginning of that biennium;

(2) determine the sum total of the following items: (A) all moneys expended or obligated against appropriations made from the Public Utility Fund during the preceding fiscal biennium, plus (B) the sum of the credit memoranda then outstanding against the Public Utility Fund, if any; and

(3) determine the amount, if any, by which the sum determined as provided in item (1) exceeds the amount determined as provided in item (2).

If the amount determined as provided in item (3) of this subsection exceeds 50% of the previous fiscal year's appropriation level, the Commission shall then compute the proportionate amount, if any, which (x) the tax paid hereunder by each utility during the preceding biennium, and (y) the amount paid into the Public Utility Fund during the preceding biennium by the Department of Revenue pursuant to Sections 2-9 and 2-11 of the Electricity Excise Tax Law, bears to the difference between the amount determined as provided in item (3) of this subsection (i) and 50% of the previous fiscal year's appropriation level. The Commission shall cause the proportionate amount determined with respect to payments made under the Electricity Excise Tax Law to be transferred into the General Revenue Fund in the State Treasury, and notify each public utility that it may file during the 3 month period after the date of notification a claim for credit

for the proportionate amount determined with respect to payments made hereunder by the public utility. If the proportionate amount is less than $10, no notification will be sent by the Commission, and no right to a claim exists as to that amount. Upon the filing of a claim for credit within the period provided, the Commission shall issue a credit memorandum in such amount to such public utility. Any claim for credit filed after the period provided for in this Section is void.

(i-5) During the month of June ~~October~~ of each year the Commission shall:

(1) determine the amount of all moneys expected to be deposited in the Public Utility Fund during the next ~~current~~ fiscal year, plus the balance, if any, in that fund at the beginning of that year;

(2) determine the total of all moneys expected to be expended or obligated against appropriations made from the Public Utility Fund during the next ~~current~~ fiscal year; and

(3) determine the amount, if any, by which the amount determined in paragraph (2) exceeds the amount determined as provided in paragraph (1).

If the amount determined as provided in paragraph (3) of this subsection (i-5) results in a deficit, the Commission may assess electric utilities and gas utilities for the difference between the amount appropriated for the ordinary and contingent expenses of the Commission and the amount derived under paragraph (1) of this subsection (i-5). Such proceeds shall be deposited in the Public Utility Fund in the State treasury. The Commission shall apportion that difference among those public utilities on the basis of each utility's share of the total intrastate gross revenues of the utilities subject to this subsection (i-5). Payments required under this subsection (i-5) shall be made in the time and manner directed by the Commission. The Commission shall permit utilities to recover Illinois Commerce Commission assessments effective pursuant to this subsection through an automatic adjustment mechanism that is incorporated into an existing tariff that recovers costs associated with this Section, or through a supplemental customer charge.

Within 6 months after the first time assessments are made under this subsection (i-5), the Commission shall initiate a docketed proceeding in which it shall consider, in addition to assessments from electric and gas utilities subject to this subsection, the raising of assessments from, or the payment of fees by, water and sewer utilities, entities possessing certificates of service authority as alternative retail electric suppliers under Section 16-115 of this Act, entities possessing certificates of service authority as alternative gas suppliers under Section 19-110 of this Act, and telecommunications carriers providing local exchange telecommunications service or interexchange telecommunications service under Sections 13-204 or 13-205 of this Act. The amounts so determined shall be based on the costs to the agency of the exercise of its regulatory and supervisory functions with regard to the different industries and service providers subject to the proceeding. No less often than every 3 years after the end of a proceeding under this subsection (i-5), the Commission shall initiate another proceeding for that purpose.

The Commission may use this apportionment method until the docketed proceeding in which the Commission considers the raising of assessments from other entities subject to its jurisdiction under this Act has concluded. No credit memoranda shall be issued pursuant to subsection (i) if the amount determined as provided in paragraph (3) of this subsection (i-5) results in a deficit.

(j) Credit memoranda issued pursuant to subsection (f) and credit memoranda issued after notification and filing pursuant to subsection (i) may be applied for the 2 year period from the date of issuance, against the payment of any amount due during that period under the tax imposed by subsection (c), or, subject to reasonable rule of the Commission including requirement of notification, may be assigned to any other public utility subject to regulation under this Act. Any application of credit memoranda after the period provided for in this Section is void.

(k) The chairman or executive director may make refund of fees, taxes or other charges whenever he shall determine that the person or public utility will not be liable for payment of such fees, taxes or charges during the next 24 months and he determines that the issuance of a credit memorandum would be unjust.

(Source: P.A. 99-906, eff. 6-1-17.)

(220 ILCS 5/8-406) (from Ch. 111 2/3, par. 8-406)

Sec. 8-406. Certificate of public convenience and necessity.

(a) No public utility not owning any city or village franchise nor engaged in performing any public service or in furnishing any product or commodity within this State as of July 1, 1921 and not possessing a certificate of public convenience and necessity from the Illinois Commerce Commission, the State Public Utilities Commission, or the Public Utilities Commission, at the time Public Act 84-617 ~~this amendatory Act of 1985~~ goes into effect (January 1, 1986), shall transact any business in this State until it shall have obtained a certificate from the Commission that public convenience and necessity require the transaction of such business. A certificate of public convenience and necessity requiring the transaction of public utility

business in any area of this State shall include authorization to the public utility receiving the certificate of public convenience and necessity to construct such plant, equipment, property, or facility as is provided for under the terms and conditions of its tariff and as is necessary to provide utility service and carry out the transaction of public utility business by the public utility in the designated area.

(b) No public utility shall begin the construction of any new plant, equipment, property, or facility which is not in substitution of any existing plant, equipment, property, or facility, or any extension or alteration thereof or in addition thereto, unless and until it shall have obtained from the Commission a certificate that public convenience and necessity require such construction. Whenever after a hearing the Commission determines that any new construction or the transaction of any business by a public utility will promote the public convenience and is necessary thereto, it shall have the power to issue certificates of public convenience and necessity. The Commission shall determine that proposed construction will promote the public convenience and necessity only if the utility demonstrates: (1) that the proposed construction is necessary to provide adequate, reliable, and efficient service to its customers and is the least-cost means of satisfying the service needs of its customers or that the proposed construction will promote the development of an effectively competitive electricity market that operates efficiently, is equitable to all customers, and is the least cost means of satisfying those objectives; (2) that the utility is capable of efficiently managing and supervising the construction process and has taken sufficient action to ensure adequate and efficient construction and supervision thereof; and (3) that the utility is capable of financing the proposed construction without significant adverse financial consequences for the utility or its customers.

(b-5) As used in this subsection (b-5):

"Qualifying direct current applicant" means an entity that seeks to provide direct current bulk transmission service for the purpose of transporting electric energy in interstate commerce.

"Qualifying direct current project" means a high voltage direct current electric service line that crosses at least one Illinois border, the Illinois portion of which is physically located within the region of the Midcontinent Independent System Operator, Inc., or its successor organization, and runs through the counties of Pike, Scott, Greene, Macoupin, Montgomery, Christian, Shelby, Cumberland, and Clark, is capable of transmitting electricity at voltages of 345 kilovolts ~~345kv~~ or above, and may also include associated interconnected alternating current interconnection facilities in this State that are part of the proposed project and reasonably necessary to connect the project with other portions of the grid.

Notwithstanding any other provision of this Act, a qualifying direct current applicant that does not own, control, operate, or manage, within this State, any plant, equipment, or property used or to be used for the transmission of electricity at the time of its application or of the Commission's order may file an application on or before December 31, 2023 with the Commission pursuant to this Section or Section 8-406.1 for, and the Commission may grant, a certificate of public convenience and necessity to construct, operate, and maintain a qualifying direct current project. The qualifying direct current applicant may also include in the application requests for authority under Section 8-503. The Commission shall grant the application for a certificate of public convenience and necessity and requests for authority under Section 8-503 if it finds that the qualifying direct current applicant and the proposed qualifying direct current project satisfy the requirements of this subsection and otherwise satisfy the criteria of this Section or Section 8-406.1 and the criteria of Section 8-503, as applicable to the application and to the extent such criteria are not superseded by the provisions of this subsection. The Commission's order on the application for the certificate of public convenience and necessity shall also include the Commission's findings and determinations on the request or requests for authority pursuant to Section 8-503. Prior to filing its application under either this Section or Section 8-406.1, the qualifying direct current applicant shall conduct 3 public meetings in accordance with subsection (h) of this Section. If the qualifying direct current applicant demonstrates in its application that the proposed qualifying direct current project is designed to deliver electricity to a point or points on the electric transmission grid in either or both the PJM Interconnection, LLC or the Midcontinent Independent System Operator, Inc., or their respective successor organizations, the proposed qualifying direct current project shall be deemed to be, and the Commission shall find it to be, for public use. If the qualifying direct current applicant further demonstrates in its application that the proposed transmission project has a capacity of 1,000 megawatts or larger and a voltage level of 345 kilovolts or greater, the proposed transmission project shall be deemed to satisfy, and the Commission shall find that it satisfies, the criteria stated in item (1) of subsection (b) of this Section or in paragraph (1) of subsection (f) of Section 8-406.1, as applicable to the application, without the taking of additional evidence on these criteria. Prior to the transfer of functional control of any transmission assets to a regional transmission organization, a qualifying direct current applicant shall request Commission approval to join a regional

transmission organization in an application filed pursuant to this subsection (b-5) or separately pursuant to Section 7-102 of this Act. The Commission may grant permission to a qualifying direct current applicant to join a regional transmission organization if it finds that the membership, and associated transfer of functional control of transmission assets, benefits Illinois customers in light of the attendant costs and is otherwise in the public interest. Nothing in this subsection (b-5) requires a qualifying direct current applicant to join a regional transmission organization. Nothing in this subsection (b-5) requires the owner or operator of a high voltage direct current transmission line that is not a qualifying direct current project to obtain a certificate of public convenience and necessity to the extent it is not otherwise required by this Section 8-406 or any other provision of this Act.

(c) After September 11, 1987 (the effective date of Public Act 85-377) ~~this amendatory Act of 1987~~, no construction shall commence on any new nuclear power plant to be located within this State, and no certificate of public convenience and necessity or other authorization shall be issued therefor by the Commission, until the Director of the Illinois Environmental Protection Agency finds that the United States Government, through its authorized agency, has identified and approved a demonstrable technology or means for the disposal of high level nuclear waste, or until such construction has been specifically approved by a statute enacted by the General Assembly.

As used in this Section, "high level nuclear waste" means those aqueous wastes resulting from the operation of the first cycle of the solvent extraction system or equivalent and the concentrated wastes of the subsequent extraction cycles or equivalent in a facility for reprocessing irradiated reactor fuel and shall include spent fuel assemblies prior to fuel reprocessing.

(d) In making its determination under subsection (b) of this Section, the Commission shall attach primary weight to the cost or cost savings to the customers of the utility. The Commission may consider any or all factors which will or may affect such cost or cost savings, including the public utility's engineering judgment regarding the materials used for construction.

(e) The Commission may issue a temporary certificate which shall remain in force not to exceed one year in cases of emergency, to assure maintenance of adequate service or to serve particular customers, without notice or hearing, pending the determination of an application for a certificate, and may by regulation exempt from the requirements of this Section temporary acts or operations for which the issuance of a certificate will not be required in the public interest.

A public utility shall not be required to obtain but may apply for and obtain a certificate of public convenience and necessity pursuant to this Section with respect to any matter as to which it has received the authorization or order of the Commission under the Electric Supplier Act, and any such authorization or order granted a public utility by the Commission under that Act shall as between public utilities be deemed to be, and shall have except as provided in that Act the same force and effect as, a certificate of public convenience and necessity issued pursuant to this Section.

No electric cooperative shall be made or shall become a party to or shall be entitled to be heard or to otherwise appear or participate in any proceeding initiated under this Section for authorization of power plant construction and as to matters as to which a remedy is available under the Electric Supplier Act.

(f) Such certificates may be altered or modified by the Commission, upon its own motion or upon application by the person or corporation affected. Unless exercised within a period of 2 years from the grant thereof, authority conferred by a certificate of convenience and necessity issued by the Commission shall be null and void.

No certificate of public convenience and necessity shall be construed as granting a monopoly or an exclusive privilege, immunity or franchise.

(g) A public utility that undertakes any of the actions described in items (1) through (3) of this subsection (g) or that has obtained approval pursuant to Section 8-406.1 of this Act shall not be required to comply with the requirements of this Section to the extent such requirements otherwise would apply. For purposes of this Section and Section 8-406.1 of this Act, "high voltage electric service line" means an electric line having a design voltage of 100,000 or more. For purposes of this subsection (g), a public utility may do any of the following:

(1) replace or upgrade any existing high voltage electric service line and related facilities, notwithstanding its length;

(2) relocate any existing high voltage electric service line and related facilities, notwithstanding its length, to accommodate construction or expansion of a roadway or other transportation infrastructure; or

(3) construct a high voltage electric service line and related facilities that is constructed solely to serve a single customer's premises or to provide a generator interconnection to the public utility's transmission system and that will pass under or over the premises owned by the customer or generator to be served or under or over premises for which the customer or generator has secured the necessary right of way.

(h) A public utility seeking to construct a high-voltage electric service line and related facilities (Project) must show that the utility has held a minimum of 2 pre-filing public meetings to receive public comment concerning the Project in each county where the Project is to be located, no earlier than 6 months prior to filing an application for a certificate of public convenience and necessity from the Commission. Notice of the public meeting shall be published in a newspaper of general circulation within the affected county once a week for 3 consecutive weeks, beginning no earlier than one month prior to the first public meeting. If the Project traverses 2 contiguous counties and where in one county the transmission line mileage and number of landowners over whose property the proposed route traverses is one-fifth or less of the transmission line mileage and number of such landowners of the other county, then the utility may combine the 2 pre-filing meetings in the county with the greater transmission line mileage and affected landowners. All other requirements regarding pre-filing meetings shall apply in both counties. Notice of the public meeting, including a description of the Project, must be provided in writing to the clerk of each county where the Project is to be located. A representative of the Commission shall be invited to each pre-filing public meeting.

(i) For applications filed after August 18, 2015 (the effective date of Public Act 99-399) ~~this amendatory Act of the 99th General Assembly~~, the Commission shall, by certified mail, ~~registered mail~~ notify each owner of record of land, as identified in the records of the relevant county tax assessor, included in the right-of-way over which the utility seeks in its application to construct a high-voltage electric line of the time and place scheduled for the initial hearing on the public utility's application. The utility shall reimburse the Commission for the cost of the postage and supplies incurred for mailing the notice.

(Source: P.A. 102-609, eff. 8-27-21; 102-662, eff. 9-15-21; revised 10-21-21.)

(220 ILCS 5/8-406.1)

Sec. 8-406.1. Certificate of public convenience and necessity; expedited procedure.

(a) A public utility may apply for a certificate of public convenience and necessity pursuant to this Section for the construction of any new high voltage electric service line and related facilities (Project). To facilitate the expedited review process of an application filed pursuant to this Section, an application shall include all of the following:

(1) Information in support of the application that shall include the following:

(A) A detailed description of the Project, including location maps and plot plans to scale showing all major components.

(B) The following engineering data:

(i) a detailed Project description including:

(I) name and destination of the Project;

(II) design voltage rating (kV);

(III) operating voltage rating (kV); and

(IV) normal peak operating current rating;

(ii) a conductor, structures, and substations description including:

(I) conductor size and type;

(II) type of structures;

(III) height of typical structures;

(IV) an explanation why these structures were selected;

(V) dimensional drawings of the typical structures to be used in the Project; and

(VI) a list of the names of all new (and existing if applicable) substations or switching stations that will be associated with the proposed new high voltage electric service line;

(iii) the location of the site and right-of-way including:

(I) miles of right-of-way;

(II) miles of circuit;

(III) width of the right-of-way; and

(IV) a brief description of the area traversed by the proposed high voltage electric service line, including a description of the general land uses in the area and the type of terrain crossed by the proposed line;

(iv) assumptions, bases, formulae, and methods used in the development and preparation of the diagrams and accompanying data, and a technical description providing the following information:

(I) number of circuits, with identification as to whether the circuit is overhead or underground;

(II) the operating voltage and frequency; and

(III) conductor size and type and number of conductors per phase;

(v) if the proposed interconnection is an overhead line, the following additional information also must be provided:

(I) the wind and ice loading design parameters;

(II) a full description and drawing of a typical supporting structure, including strength specifications;

(III) structure spacing with typical ruling and maximum spans;

(IV) conductor (phase) spacing; and

(V) the designed line-to-ground and conductor-side clearances;

(vi) if an underground or underwater interconnection is proposed, the following additional information also must be provided:

(I) burial depth;

(II) type of cable and a description of any required supporting equipment, such as insulation medium pressurizing or forced cooling;

(III) cathodic protection scheme; and

(IV) type of dielectric fluid and safeguards used to limit potential spills in waterways;

(vii) technical diagrams that provide clarification of any item under this item (1) should be included; and

(viii) applicant shall provide and identify a primary right-of-way and one or more alternate rights-of-way for the Project as part of the filing. To the extent applicable, for each right-of-way, an applicant shall provide the information described in this subsection (a). Upon a showing of good cause in its filing, an applicant may be excused from providing and identifying alternate rights-of-way.

(2) An application fee of $100,000, which shall be paid into the Public Utility Fund at the time the Chief Clerk of the Commission deems it complete and accepts the filing.

(3) Information showing that the utility has held a minimum of 3 pre-filing public meetings to receive public comment concerning the Project in each county where the Project is to be located, no earlier than 6 months prior to the filing of the application. Notice of the public meeting shall be published in a newspaper of general circulation within the affected county once a week for 3 consecutive weeks, beginning no earlier than one month prior to the first public meeting. If the Project traverses 2 contiguous counties and where in one county the transmission line mileage and number of landowners over whose property the proposed route traverses is 1/5 or less of the transmission line mileage and number of such landowners of the other county, then the utility may combine the 3 pre-filing meetings in the county with the greater transmission line mileage and affected landowners. All other requirements regarding pre-filing meetings shall apply in both counties. Notice of the public meeting, including a description of the Project, must be provided in writing to the clerk of each county where the Project is to be located. A representative of the Commission shall be invited to each pre-filing public meeting.

For applications filed after the effective date of this amendatory Act of the 99th General Assembly, the Commission shall, by certified mail, ~~registered mail~~ notify each owner of record of the land, as identified in the records of the relevant county tax assessor, included in the primary or alternate rights-of-way identified in the utility's application of the time and place scheduled for the initial hearing upon the public utility's application. The utility shall reimburse the Commission for the cost of the postage and supplies incurred for mailing the notice.

(b) At the first status hearing the administrative law judge shall set a schedule for discovery that shall take into consideration the expedited nature of the proceeding.

(c) Nothing in this Section prohibits a utility from requesting, or the Commission from approving, protection of confidential or proprietary information under applicable law. The public utility may seek confidential protection of any of the information provided pursuant to this Section, subject to Commission approval.

(d) The public utility shall publish notice of its application in the official State newspaper within 10 days following the date of the application's filing.

(e) The public utility shall establish a dedicated website for the Project 3 weeks prior to the first public meeting and maintain the website until construction of the Project is complete. The website address shall be included in all public notices.

(f) The Commission shall, after notice and hearing, grant a certificate of public convenience and necessity filed in accordance with the requirements of this Section if, based upon the application filed with the Commission and the evidentiary record, it finds the Project will promote the public convenience and necessity and that all of the following criteria are satisfied:

(1) That the Project is necessary to provide adequate, reliable, and efficient service to the public utility's customers and is the least-cost means of satisfying the service needs of the public utility's customers or that the Project will promote the development of an effectively competitive electricity market that operates efficiently, is equitable to all customers, and is the least cost means of satisfying those objectives.

(2) That the public utility is capable of efficiently managing and supervising the construction process and has taken sufficient action to ensure adequate and efficient construction and supervision of the construction.

(3) That the public utility is capable of financing the proposed construction without significant adverse financial consequences for the utility or its customers.

(g) The Commission shall issue its decision with findings of fact and conclusions of law granting or denying the application no later than 150 days after the application is filed. The Commission may extend the 150-day deadline upon notice by an additional 75 days if, on or before the 30th day after the filing of the application, the Commission finds that good cause exists to extend the 150-day period.

(h) In the event the Commission grants a public utility's application for a certificate pursuant to this Section, the public utility shall pay a one-time construction fee to each county in which the Project is constructed within 30 days after the completion of construction. The construction fee shall be $20,000 per mile of high voltage electric service line constructed in that county, or a proportionate fraction of that fee. The fee shall be in lieu of any permitting fees that otherwise would be imposed by a county. Counties receiving a payment under this subsection (h) may distribute all or portions of the fee to local taxing districts in that county.

(i) Notwithstanding any other provisions of this Act, a decision granting a certificate under this Section shall include an order pursuant to Section 8-503 of this Act authorizing or directing the construction of the high voltage electric service line and related facilities as approved by the Commission, in the manner and within the time specified in said order.

(Source: P.A. 99-399, eff. 8-18-15.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Joyce, **House Bill No. 4382** 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	Gillespie	McClure	Stewart
Aquino	Glowiak Hilton	McConchie	Stoller
Bailey	Harris	Morrison	Syverson
Barickman	Hastings	Muñoz	Tracy
Belt	Holmes	Murphy	Turner, D.
Bryant	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	
Fowler	Martwick	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.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Harmon, **House Bill No. 3772** 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. 4364** 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. 4481** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Martwick, **House Bill No. 4785** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

Anderson	Glowiak Hilton	McConchie	Stoller
Aquino	Harris	Morrison	Syverson
Barickman	Hastings	Muñoz	Tracy
Belt	Holmes	Murphy	Turner, D.
Bryant	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox

Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	
Fowler	Martwick	Stadelman	
Gillespie	McClure	Stewart	

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

Ordered that the Secretary inform the House of Representatives thereof.

HOUSE BILL RECALLED

On motion of Senator Villivalam, **House Bill No. 4813** 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. 2 TO HOUSE BILL 4813

AMENDMENT NO. 2 . Amend House Bill 4813 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-20.21 as follows:

(105 ILCS 5/10-20.21)

Sec. 10-20.21. Contracts.

(a) To award all contracts for purchase of supplies and materials or work involving an expenditure in excess of $25,000 or a lower amount as required by board policy to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability, after due advertisement, except the following:

(i) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;

(ii) contracts for the printing of finance committee reports and departmental reports;

(iii) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness;

(iv) contracts for the purchase of perishable foods and perishable beverages;

(v) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price;

(vi) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;

(vii) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;

(viii) contracts for duplicating machines and supplies;

(ix) contracts for the purchase of fuel, including diesel, gasoline, oil, aviation, natural gas, or propane, lubricants, or other petroleum products;

(x) purchases of equipment previously owned by some entity other than the district itself;

(xi) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed $50,000 and not involving a change or increase in the size, type, or extent of an existing facility;

(xii) contracts for goods or services procured from another governmental agency;

(xiii) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph;

(xiv) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board;

(xv) State master contracts authorized under Article 28A of this Code; ~~and~~

(xvi) contracts providing for the transportation of pupils, which contracts must be advertised in the same manner as competitive bids and awarded by first considering the bidder or bidders most able to provide safety and comfort for the pupils, stability of service, and any other factors set forth in the request for proposal regarding quality of service, and then price; and

(xvii) contracts for goods, services, or management in the operation of a school's food service, including a school that participates in any of the United States Department of Agriculture's child nutrition programs if a good faith effort is made on behalf of the school district to give preference to:

(1) contracts that procure food that promotes the health and well-being of students, in compliance with United States Department of Agriculture nutrition standards for school meals. Contracts should also promote the production of scratch made, minimally processed foods;

(2) contracts that give a preference to State or regional suppliers that source local food products;

(3) contracts that give a preference to food suppliers that utilize producers that adopt hormone and pest management practices recommended by the United States Department of Agriculture;

(4) contracts that give a preference to food suppliers that value animal welfare; and

(5) contracts that increase opportunities for businesses owned and operated by minorities, women, or persons with disabilities.

Food supplier data shall be submitted to the school district at the time of the bid, to the best of the bidder's ability, and updated annually thereafter during the term of the contract. The contractor shall submit the updated food supplier data. The data required under this item (xvii) shall include the name and address of each supplier, distributor, processor, and producer involved in the provision of the products that the bidder is to supply.

However, at no time shall a cause of action lie against a school board for awarding a pupil transportation contract per the standards set forth in this subsection (a) unless the cause of action is based on fraudulent conduct.

All competitive bids for contracts involving an expenditure in excess of $25,000 or a lower amount as required by board policy must be sealed by the bidder and must be opened by a member or employee of the school board at a public bid opening at which the contents of the bids must be announced. Each bidder must receive at least 3 days' notice of the time and place of the bid opening. For purposes of this Section due advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district. State master contracts and certified education purchasing contracts, as defined in Article 28A of this Code, are not subject to the requirements of this paragraph.

Under this Section, the acceptance of bids sealed by a bidder and the opening of these bids at a public bid opening may be permitted by an electronic process for communicating, accepting, and opening competitive bids. An electronic bidding process must provide for, but is not limited to, the following safeguards:

(1) On the date and time certain of a bid opening, the primary person conducting the competitive, sealed, electronic bid process shall log onto a specified database using a unique username and password previously assigned to the bidder to allow access to the bidder's specific bid project number.

(2) The specified electronic database must be on a network that (i) is in a secure environment behind a firewall; (ii) has specific encryption tools; (iii) maintains specific intrusion detection systems; (iv) has redundant systems architecture with data storage back-up, whether by compact disc or tape; and (v) maintains a disaster recovery plan.

It is the legislative intent of Public Act 96-841 to maintain the integrity of the sealed bidding process provided for in this Section, to further limit any possibility of bid-rigging, to reduce administrative costs to school districts, and to effect efficiencies in communications with bidders.

(b) To require, as a condition of any contract for goods and services, that persons bidding for and awarded a contract and all affiliates of the person collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act regardless of whether the person or affiliate is a "retailer maintaining a place of business within this State" as defined in Section 2 of the Use Tax Act. For purposes of this Section, the term "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or

constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection (b), an entity controls another entity if it owns, directly or individually, more than 10% of the voting securities of that entity. As used in this subsection (b), the term "voting security" means a security that (1) confers upon the holder the right to vote for the election of members of the board of directors or similar governing body of the business or (2) is convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to vote. A general partnership interest is a voting security.

To require that bids and contracts include a certification by the bidder or contractor that the bidder or contractor is not barred from bidding for or entering into a contract under this Section and that the bidder or contractor acknowledges that the school board may declare the contract void if the certification completed pursuant to this subsection (b) is false.

(b-5) To require all contracts and agreements that pertain to goods and services and that are intended to generate additional revenue and other remunerations for the school district in excess of $1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, to be approved by the school board. The school board shall file as an attachment to its annual budget a report, in a form as determined by the State Board of Education, indicating for the prior year the name of the vendor, the product or service provided, and the actual net revenue and non-monetary remuneration from each of the contracts or agreements. In addition, the report shall indicate for what purpose the revenue was used and how and to whom the non-monetary remuneration was distributed.

(b-10) To prohibit any contract to purchase food with a bidder or offeror if the bidder's or offeror's contract terms prohibit the school from donating food to food banks, including, but not limited to, homeless shelters, food pantries, and soup kitchens.

(c) If the State education purchasing entity creates a master contract as defined in Article 28A of this Code, then the State education purchasing entity shall notify school districts of the existence of the master contract.

(d) In purchasing supplies, materials, equipment, or services that are not subject to subsection (c) of this Section, before a school district solicits bids or awards a contract, the district may review and consider as a bid under subsection (a) of this Section certified education purchasing contracts that are already available through the State education purchasing entity.

(Source: P.A. 101-570, eff. 8-23-19; 101-632, eff. 6-5-20.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villivalam, **House Bill No. 4813** 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	Gillespie	McClure	Stewart
Aquino	Glowiak Hilton	McConchie	Stoller
Bailey	Harris	Morrison	Syverson
Barickman	Hastings	Muñoz	Tracy
Belt	Holmes	Murphy	Turner, D.
Bryant	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa

Cunningham	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	
Fowler	Martwick	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.

On motion of Senator Castro, **House Bill No. 4973** 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	Gillespie	McClure	Stewart
Aquino	Glowiak Hilton	McConchie	Stoller
Bailey	Harris	Morrison	Syverson
Barickman	Hastings	Muñoz	Tracy
Belt	Holmes	Murphy	Turner, D.
Bryant	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	
Fowler	Martwick	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 Cunningham, **House Bill No. 5093** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAYS None.

The following voted in the affirmative:

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

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Stadelman, **House Bill No. 5142** 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	Gillespie	McClure	Stewart
Aquino	Glowiak Hilton	McConchie	Stoller
Bailey	Harris	Morrison	Syverson
Barickman	Hastings	Muñoz	Tracy
Belt	Holmes	Murphy	Turner, D.
Bryant	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	
Fowler	Martwick	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.

POSTING NOTICES WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bills numbered 4772 and 5013** so that the measures may be heard in the Committee on Executive that is scheduled to meet April 1, 2022.

The motion prevailed.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 950

Offered by Senator McClure and all Senators:

Mourns the death of David Alan Hickox of South Jacksonville.

SENATE RESOLUTION NO. 951

Offered by Senator McClure and all Senators:
Mourns the passing of Bette R. Jackson of Woodson.

SENATE RESOLUTION NO. 952

Offered by Senator McClure and all Senators:
Mourns the passing of Gerald Edward "Jerry" Osborne, Ph.D. of Grafton.

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

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its April 1, 2022 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **Floor Amendment No. 1 to House Bill 4736**.

Education: **House Bill No. 5488; Floor Amendment No. 1 to House Bill 5214**.

Executive: **Committee Amendment No. 1 to House Bill 4772; Committee Amendment No. 1 to House Bill 5013; Floor Amendment No. 2 to House Bill 5439**.

Local Government: **Floor Amendment No. 2 to House Bill 5283**.

Pensions: **House Bill No. 5472**.

Transportation: **House Bill No. 5205; Floor Amendment No. 1 to House Bill 5328**.

Senator Lightford, Chair of the Committee on Assignments, during its April 1, 2022 meeting, to which was referred **House Bills numbered 2825 and 4452**, reported the same back with the recommendation that the bills be placed on the order of second reading without recommendation to committee.

Pursuant to Senate Rule 3-8 (b-1), the following amendments will remain in the Committee on Assignments: **Floor Amendment No. 2 to Senate Bill 1490; Committee Amendment No. 2 to House Bill 5013**.

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 2825
Amendment No. 1 to House Bill 4452

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its April 1, 2022 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Judiciary: **Floor Amendment No. 1 to House Bill 2825**.

Revenue: **Floor Amendment No. 1 to House Bill 4452**.

POSTING NOTICE WAIVED

Senator Belt moved to waive the six-day posting requirement on **House Bill No. 4688** so that the measure may be heard in the Committee on Education that is scheduled to meet April 4, 2022.

The motion prevailed.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator D. Turner, **House Bill No. 5194** 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:

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

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cunningham, **House Bill No. 5501** 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 None.

The following voted in the affirmative:

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

Fine	Loughran Cappel	Sims
Gillespie	Martwick	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.

HOUSE BILL RECALLED

On motion of Senator Cunningham, **House Bill No. 5502** was recalled from the order of third reading to the order of second reading.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 5502

AMENDMENT NO. 2 . Amend House Bill 5502 by replacing everything after the enacting clause with the following:

"Section 5. The Emergency Telephone System Act is amended by changing Sections 2, 15.5, and 60 and by adding Sections 15.5a, 15.6c, and 15.8a as follows:

(50 ILCS 750/2) (from Ch. 134, par. 32)

(Section scheduled to be repealed on December 31, 2023)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

"9-1-1 network" means the network used for the delivery of 9-1-1 calls and messages over dedicated and redundant facilities to a primary or backup 9-1-1 PSAP that meets the appropriate grade of service.

"9-1-1 system" means the geographic area that has been granted an order of authority by the Commission or the Statewide 9-1-1 Administrator to use "9-1-1" as the primary emergency telephone number, including, but not limited to, the network, software applications, databases, CPE components and operational and management procedures required to provide 9-1-1 service.

"9-1-1 Authority" means an Emergency Telephone System Board or, Joint Emergency Telephone System Board that provides for the management and operation of a 9-1-1 system. "9-1-1 Authority" includes the Illinois State Police only to the extent it provides 9-1-1 services under this Act.

"9-1-1 System Manager" means the manager, director, administrator, or coordinator who at the direction of his or her Emergency Telephone System Board is responsible for the implementation and execution of the order of authority issued by the Commission or the Statewide 9-1-1 Administrator through the programs, policies, procedures, and daily operations of the 9-1-1 system consistent with the provisions of this Act.

"Administrator" means the Statewide 9-1-1 Administrator.

"Advanced service" means any telecommunications service with or without dynamic bandwidth allocation, including, but not limited to, ISDN Primary Rate Interface (PRI), that, through the use of a DS-1, T-1, or other un-channelized or multi-channel transmission facility, is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency.

"Aggregator" means an entity that ingresses 9-1-1 calls of multiple traffic types or 9-1-1 calls from multiple originating service providers and combines them on a trunk group or groups (or equivalent egress connection arrangement to a 9-1-1 system provider's E9-1-1/NG9-1-1 network or system), and that uses the routing information provided in the received call setup signaling to select the appropriate trunk group and proceeds to signal call setup toward the 9-1-1 system provider. "Aggregator" includes an originating service provider that provides aggregation functions for its own 9-1-1 calls. "Aggregator" also includes an aggregation network or an aggregation entity that provides aggregator services for other types of system providers, such as cloud-based services or enterprise networks as its client.

"ALI" or "automatic location identification" means the automatic display at the public safety answering point of the address or location of the caller's telephone and supplementary emergency services information of the location from which a call originates.

"ANI" or "automatic number identification" means the automatic display of the 10-digit ~~10 digit~~ telephone number associated with the caller's telephone number.

"Automatic alarm" and "automatic alerting device" mean any device that will access the 9-1-1 system for emergency services upon activation and does not provide for two-way communication.

"Answering point" means a PSAP, SAP, Backup PSAP, Unmanned Backup Answering Point, or VAP.

"Authorized entity" means an answering point or participating agency other than a decommissioned PSAP.

"Backup PSAP" means an answering point that meets the appropriate standards of service and serves as an alternate to the PSAP operating independently from the PSAP at a different location~~,~~ that has the capability to direct dispatch for the PSAP or otherwise transfer emergency calls directly to an authorized entity. A backup PSAP may accept overflow calls from the PSAP or be activated if the primary PSAP is disabled.

"Board" means an Emergency Telephone System Board or a Joint Emergency Telephone System Board created pursuant to Section 15.4.

"Call back number" means a number used by a PSAP to recontact a location from which a 9-1-1 call was placed, regardless of whether that number is a direct-dial number for a station used to originate a 9-1-1 call.

"Carrier" includes a telecommunications carrier and a wireless carrier.

"Commission" means the Illinois Commerce Commission.

"Computer aided dispatch" or "CAD" means a computer-based system that aids public safety telecommunicators by automating selected dispatching and recordkeeping activities.

"Direct dispatch" means a 9-1-1 service wherein upon receipt of an emergency call, a public safety telecommunicator transmits - without delay, transfer, relay, or referral - all relevant available information to the appropriate public safety personnel or emergency responders.

"Dispatchable location" means the street address of a 9-1-1 caller and additional information, such as room number, floor number, or similar information, necessary to identify the location of the 9-1-1 caller.

"Decommissioned" means the revocation of a PSAPs authority to handle 9-1-1 calls as an answering point within the 9-1-1 network.

"DS-1, T-1, or similar un-channelized or multi-channel transmission facility" means a facility that can transmit and receive a bit rate of at least 1.544 megabits per second (Mbps).

"Dynamic bandwidth allocation" means the ability of the facility or customer to drop and add channels, or adjust bandwidth, when needed in real time for voice or data purposes.

"Emergency call" means any type of request for emergency assistance through a 9-1-1 network either to the digits 9-1-1 or the emergency 24/7 10-digit telephone number for all answering points. An emergency call is not limited to a voice telephone call. It could be a two-way video call, an interactive text, Teletypewriter (TTY), an SMS, an Instant Message, or any new mechanism for communications available in the future. An emergency call occurs when the request for emergency assistance is received by a public safety telecommunicator.

"Enhanced 9-1-1" or "E9-1-1" means a telephone system that includes network switching, database and PSAP premise elements capable of providing automatic location identification data, selective routing, selective transfer, fixed transfer, and a call back number, including any enhanced 9-1-1 service so designated by the Federal Communications Commission in its report and order in WC Dockets Nos. 04-36 and 05-196, or any successor proceeding.

"ETSB" means an emergency telephone system board appointed by the corporate authorities of any county or municipality that provides for the management and operation of a 9-1-1 system.

"Grade of service" means P.01 for enhanced 9-1-1 services or the NENA i3 Solution adopted standard for NG9-1-1.

"Hearing-impaired individual" means a person with a permanent hearing loss who can regularly and routinely communicate by telephone only through the aid of devices which can send and receive written messages over the telephone network.

"Hosted supplemental 9-1-1 service" means a database service that:

(1) electronically provides information to 9-1-1 call takers when a call is placed to 9-1-1;

(2) allows telephone subscribers to provide information to 9-1-1 to be used in emergency scenarios;

(3) collects a variety of formatted data relevant to 9-1-1 and first responder needs, which may include, but is not limited to, photographs of the telephone subscribers, physical descriptions, medical information, household data, and emergency contacts;

(4) allows for information to be entered by telephone subscribers through a secure website where they can elect to provide as little or as much information as they choose;

(5) automatically displays data provided by telephone subscribers to 9-1-1 call takers for all types of telephones when a call is placed to 9-1-1 from a registered and confirmed phone number;

(6) supports the delivery of telephone subscriber information through a secure internet connection to all emergency telephone system boards;

(7) works across all 9-1-1 call taking equipment and allows for the easy transfer of information into a computer aided dispatch system; and

(8) may be used to collect information pursuant to an Illinois Premise Alert Program as defined in the Illinois Premise Alert Program (PAP) Act.

"Interconnected voice over Internet protocol provider" or "Interconnected VoIP provider" has the meaning given to that term under Section 13-235 of the Public Utilities Act.

"Joint ETSB" means a Joint Emergency Telephone System Board established by intergovernmental agreement of two or more municipalities or counties, or a combination thereof, to provide for the management and operation of a 9-1-1 system.

"Key telephone system" means a type of MLTS designed to provide shared access to several outside lines through buttons or keys typically offering identified access lines with direct line appearance or termination on a given telephone set.

"Local public agency" means any unit of local government or special purpose district located in whole or in part within this State that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services.

"Mechanical dialer" means any device that accesses the 9-1-1 system without human intervention and does not provide for two-way communication.

"Master Street Address Guide" or "MSAG" is a database of street names and house ranges within their associated communities defining emergency service zones (ESZs) and their associated emergency service numbers (ESNs) to enable proper routing of 9-1-1 calls.

"Mobile telephone number" or "MTN" means the telephone number assigned to a wireless telephone at the time of initial activation.

"Multi-line telephone system" or "MLTS" means a system that is comprised of a common control unit or units, telephone sets, control hardware and software, and adjunct systems and that enables users to make and receive telephone calls using shared resources, such as telephone network trunks or data link bandwidth. The terms "multi-line telephone system" and "MLTS" include, but are not limited to: network-based and premises-based systems, such as Centrex service; premises-based, hosted, and cloud-based VoIP systems; PBX, hybrid, and key telephone systems (as classified by the Federal Communications Commission under 47 CFR Part 68 or any successor rules); and systems owned or leased by governmental agencies, nonprofit entities, and for-profit businesses.

"Network connections" means the number of voice grade communications channels directly between a subscriber and a telecommunications carrier's public switched network, without the intervention of any other telecommunications carrier's switched network, which would be required to carry the subscriber's inter-premises traffic and which connection either (1) is capable of providing access through the public switched network to a 9-1-1 Emergency Telephone System, if one exists, or (2) if no system exists at the time a surcharge is imposed under Section 15.3, that would be capable of providing access through the public switched network to the local 9-1-1 Emergency Telephone System if one existed. Where multiple voice grade communications channels are connected to a telecommunications carrier's public switched network through a private branch exchange (PBX) service, there shall be determined to be one network connection for each trunk line capable of transporting either the subscriber's inter-premises traffic to the public switched network or the subscriber's 9-1-1 calls to the public agency. Where multiple voice grade communications channels are connected to an OSP's ~~a telecommunications carrier's~~ public switched network through Centrex type service, the number of network connections shall be equal to the number of PBX trunk equivalents for the subscriber's service or other multiple voice grade communication channels facility, as determined by reference to any generally applicable exchange access service tariff filed by the subscriber's telecommunications carrier with the Commission.

"Network costs" means those recurring costs that directly relate to the operation of the 9-1-1 network as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, some or all of the following: costs for interoffice trunks, selective routing charges, transfer lines and toll charges for 9-1-1 services, Automatic Location Information (ALI) database charges, independent local exchange carrier charges and non-system provider charges, carrier charges for third party database for on-site customer premises equipment, back-up PSAP trunks for non-system providers, periodic database updates as provided by carrier (also known as "ALI data dump"), regional ALI storage charges, circuits for call delivery (fiber or circuit connection), NG9-1-1 costs, and all associated fees, taxes, and surcharges on each invoice. "Network costs" shall not include radio circuits or toll charges that are other than for 9-1-1 services.

"Next generation 9-1-1" or "NG9-1-1" means a secure Internet Protocol-based (IP-based) open-standards system comprised of hardware, software, data, and operational policies and procedures that:

(A) provides standardized interfaces from emergency call and message services to support emergency communications;

(B) processes all types of emergency calls, including voice, text, data, and multimedia information;

(C) acquires and integrates additional emergency call data useful to call routing and handling;

(D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities based on the location of the caller;

(E) supports data, video, and other communications needs for coordinated incident response and management; and

(F) interoperates with services and networks used by first responders to facilitate emergency response.

"NG9-1-1 costs" means those recurring costs that directly relate to the Next Generation 9-1-1 service as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, costs for NENA i3 Core Components (Border Control Function (BCF), Emergency Call Routing Function (ECRF), Location Validation Function (LVF), Emergency Services Routing Proxy (ESRP), Policy Store/Policy Routing Functions (PSPRF), and Location Information Servers (LIS)), Statewide ESInet, software external to the PSAP (data collection, identity management, aggregation, and GIS functionality), and gateways (legacy 9-1-1 tandems or gateways or both).

"Originating service provider" or "OSP" means the entity that provides services to end users that may be used to originate voice or nonvoice 9-1-1 requests for assistance and who would interconnect, in any of various fashions, to the 9-1-1 system provider for purposes of delivering 9-1-1 traffic to the public safety answering points.

"Private branch exchange" or "PBX" means a private telephone system and associated equipment located on the user's property that provides communications between internal stations and external networks.

"Private business switch service" means network and premises based systems including a VoIP, Centrex type service, or PBX service, even though key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 CFR Part 68 are directly connected to Centrex type and PBX systems. "Private business switch service" does not include key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 CFR Part 68 when not used in conjunction with a VoIP, Centrex type, or PBX systems. "Private business switch service" typically includes, but is not limited to, private businesses, corporations, and industries where the telecommunications service is primarily for conducting business.

"Private residential switch service" means network and premise based systems including a VoIP, Centrex type service, or PBX service or key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 CFR ~~C.F.R.~~ Part 68 that are directly connected to a VoIP, Centrex type service, or PBX systems equipped for switched local network connections or 9-1-1 system access to residential end users through a private telephone switch. "Private residential switch service" does not include key telephone systems or equivalent telephone systems registered with the Federal Communications Commission under 47 CFR ~~C.F.R.~~ Part 68 when not used in conjunction with a VoIP, Centrex type, or PBX systems. "Private residential switch service" typically includes, but is not limited to,

apartment complexes, condominiums, and campus or university environments where shared tenant service is provided and where the usage of the telecommunications service is primarily residential.

"Public agency" means the State, and any unit of local government or special purpose district located in whole or in part within this State, that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services.

"Public safety agency" means a functional division of a public agency that provides firefighting, police, medical, or other emergency services to respond to and manage emergency incidents. For the purpose of providing wireless service to users of 9-1-1 emergency services, as expressly provided for in this Act, the Illinois State Police may be considered a public safety agency.

"Public safety answering point" or "PSAP" means the primary answering location of an emergency call that meets the appropriate standards of service and is responsible for receiving and processing those calls and events according to a specified operational policy.

"PSAP representative" means the manager or supervisor of a Public Safety Answering Point (PSAP) who oversees the daily operational functions and is responsible for the overall management and administration of the PSAP.

"Public safety telecommunicator" means any person employed in a full-time or part-time capacity at an answering point whose duties or responsibilities include answering, receiving, or transferring an emergency call for dispatch to the appropriate emergency responder.

"Public safety telecommunicator supervisor" means any person employed in a full-time or part-time capacity at an answering point or by a 9-1-1 Authority, whose primary duties or responsibilities are to direct, administer, or manage any public safety telecommunicator and whose responsibilities include answering, receiving, or transferring an emergency call for dispatch to the appropriate responders.

"Referral" means a 9-1-1 service in which the public safety telecommunicator provides the calling party with the telephone number of the appropriate public safety agency or other provider of emergency services.

"Regular service" means any telecommunications service, other than advanced service, that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency.

"Relay" means a 9-1-1 service in which the public safety telecommunicator takes the pertinent information from a caller and relays that information to the appropriate public safety agency or other provider of emergency services.

"Remit period" means the billing period, one month in duration, for which a wireless carrier remits a surcharge and provides subscriber information by zip code to the Illinois State Police, in accordance with Section 20 of this Act.

"Secondary Answering Point" or "SAP" means a location, other than a PSAP, that is able to receive the voice, data, and call back number of E9-1-1 or NG9-1-1 emergency calls transferred from a PSAP and completes the call taking process by dispatching police, medical, fire, or other emergency responders.

"Shared residential MLTS service" means the use of one or more MLTS or MLTS services to provide telephone service to residential facilities, including, but not limited to, single-family dwellings and multi-family dwellings, such as apartments, even if the service is not individually billed.

"Shared telecommunications services" means the provision of telecommunications and information management services and equipment within a user group located in discrete private premises in building complexes, campuses, or high-rise buildings by a commercial shared services provider or by a user association, through privately owned customer premises equipment and associated data processing and information management services. The term "shared telecommunications services" includes the provisioning of connections to the facilities of a local exchange carrier or an interexchange carrier.

"Statewide wireless emergency 9-1-1 system" means all areas of the State where an emergency telephone system board has not declared its intention for one or more of its public safety answering points to serve as a primary wireless 9-1-1 public safety answering point for its jurisdiction. The operator of the statewide wireless emergency 9-1-1 system shall be the Illinois State Police.

"System" means the communications equipment and related software applications required to produce a response by the appropriate emergency public safety agency or other provider of emergency services as a result of an emergency call being placed to 9-1-1.

"System provider" means the contracted entity providing 9-1-1 network and database services.

"Telecommunications carrier" means those entities included within the definition specified in Section 13-202 of the Public Utilities Act, and includes those carriers acting as resellers of telecommunications

services. "Telecommunications carrier" includes telephone systems operating as mutual concerns. "Telecommunications carrier" does not include a wireless carrier.

"Telecommunications technology" means equipment that can send and receive written messages over the telephone network.

"Temporary residence MLTS" means the use of a MLTS or MLTS service to provide telephone service to occupants of temporary or transient dwellings, including, but not limited to, dormitories, hotels, motels, health care facilities, and nursing homes, or other similar facilities.

"Transfer" means a 9-1-1 service in which the public safety telecommunicator, who receives an emergency call, transmits, redirects, or conferences that call to the appropriate public safety agency or other provider of emergency services. "Transfer" ~~Transfer~~ shall not include a relay or referral of the information without transferring the caller.

"Transmitting messages" shall have the meaning given to that term under Section 8-11-2 of the Illinois Municipal Code.

"Trunk line" means a transmission path, or group of transmission paths, connecting a subscriber's PBX to a telecommunications carrier's public switched network. In the case of regular service, each voice grade communications channel or equivalent amount of bandwidth capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered a trunk line, even if it is bundled with other channels or additional bandwidth. In the case of advanced service, each DS-1, T-1, or other un-channelized or multi-channel transmission facility that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered a single trunk line, even if it contains multiple voice grade communications channels or otherwise supports 2 or more voice grade calls at a time; provided, however, that each additional increment of up to 24 voice grade channels of transmission capacity that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered an additional trunk line.

"Unmanned backup answering point" means an answering point that serves as an alternate to the PSAP at an alternate location and is typically unmanned but can be activated if the primary PSAP is disabled.

"Virtual answering point" or "VAP" means a temporary or nonpermanent location that is capable of receiving an emergency call, contains a fully functional worksite that is not bound to a specific location, but rather is portable and scalable, connecting public safety telecommunicators to the work process, and is capable of completing the call dispatching process.

"Voice-impaired individual" means a person with a permanent speech disability which precludes oral communication, who can regularly and routinely communicate by telephone only through the aid of devices which can send and receive written messages over the telephone network.

"Wireless carrier" means a provider of two-way cellular, broadband PCS, geographic area 800 MHZ and 900 MHZ Commercial Mobile Radio Service (CMRS), Wireless Communications Service (WCS), or other Commercial Mobile Radio Service (CMRS), as defined by the Federal Communications Commission, offering radio communications that may provide fixed, mobile, radio location, or satellite communication services to individuals or businesses within its assigned spectrum block and geographical area or that offers real-time, two-way voice service that is interconnected with the public switched network, including a reseller of such service.

"Wireless enhanced 9-1-1" means the ability to relay the telephone number of the originator of a 9-1-1 call and location information from any mobile handset or text telephone device accessing the wireless system to the designated wireless public safety answering point as set forth in the order of the Federal Communications Commission, FCC Docket No. 94-102, adopted June 12, 1996, with an effective date of October 1, 1996, and any subsequent amendment thereto.

"Wireless public safety answering point" means the functional division of a 9-1-1 authority accepting wireless 9-1-1 calls.

"Wireless subscriber" means an individual or entity to whom a wireless service account or number has been assigned by a wireless carrier, other than an account or number associated with prepaid wireless telecommunication service.

(Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21; revised 10-5-21.)

(50 ILCS 750/15.5)

(Section scheduled to be repealed on December 31, 2023)

Sec. 15.5. Grandfathered private ~~Private~~ residential switch or MLTS 9-1-1 ~~service 9-1-1~~ service.

(a) An ~~After June 30, 1995, an~~ entity that manages ~~provides~~ or operates a private residential switch service or shared residential or temporary residential MLTS service that was installed on or before February 16, 2020 ~~private residential switch service and provides telecommunications facilities or services to residents shall provide to those residential end users the same level of 9-1-1 service as the public agency and the telecommunications carrier are providing to other residential end users of the local 9-1-1 system. This service~~ shall ensure that the system is connected to the public switched telephone network so that calls to 9-1-1 route to the appropriate 9-1-1 jurisdiction and shall ensure that the system includes, but is not ~~include, but not be~~ limited to, the capability to provide ANI ~~identify the telephone number~~, the extension number, and the ALI containing the dispatchable ~~physical~~ location that is the source of the call to 9-1-1 ~~the number designated as the emergency telephone number~~.

(b) The private residential switch or shared residential or temporary residential MLTS service operator is responsible for forwarding end user ANI and ALI ~~automatic location identification~~ record information to the 9-1-1 system provider according to the format, frequency, and procedures established by that system provider.

(c) This Act does not apply to any MLTS ~~PBX~~ telephone extension that uses radio transmissions to convey electrical signals directly between the telephone extension and the serving MLTS ~~PBX~~.

(d) An entity that violates this Section is guilty of a business offense and shall be fined not less than $1,000 and not more than $5,000.

(e) Nothing in this Section shall be construed to preclude the Attorney General on behalf of the Illinois State Police or on his or her own initiative, or any other interested person, from seeking judicial relief, by mandamus, injunction, or otherwise, to compel compliance with this Section.

(Source: P.A. 102-538, eff. 8-20-21.)

(50 ILCS 750/15.5a new)

Sec. 15.5a. Grandfathered private business switch or MLTS 9-1-1 service.

(a) After June 30, 2000, or within 18 months after enhanced 9-1-1 or NG9-1-1 service becomes available, whichever is later, any entity that manages or operates a private business switch or a telecommunication facility or MLTS service for businesses that was installed on or before February 16, 2020 shall ensure that the system is connected to the public switched network so that calls to 9-1-1 route to the appropriate 9-1-1 jurisdiction with the proper ANI and ALI. For buildings having their own street address and containing workspace of 40,000 square feet or less, location identification shall include the building's street address. For buildings having their own street address and containing workspace of more than 40,000 square feet, location identification shall include the building's street address and one distinct location identification per 40,000 square feet of workspace. Separate buildings containing workspace of 40,000 square feet or less having a common public street address shall have a distinct location identification for each building in addition to the street address.

(b) The following buildings are exempt from subsection (a) to the extent described below:

(1) Buildings containing workspace of more than 40,000 square feet are exempt from the multiple location identification requirements in subsection (a) if the building maintains, at all times, alternative and adequate means of signaling and responding to emergencies. Those means shall include, but not be limited to, a telephone system that provides the dispatchable location of 9-1-1 calls coming from within the building. Health care facilities are presumed to meet the requirements of this paragraph if the facilities are staffed with medical or nursing personnel 24 hours per day and if an alternative means of providing information about the source of an emergency call exists. Buildings that are exempt under this paragraph must provide 9-1-1 service that identifies the building's street address.

(2) Buildings containing workspace of more than 40,000 square feet are exempt from subsection (a) if the building maintains, at all times, alternative and adequate means of signaling and responding to emergencies, including a telephone system that provides the location of a 9-1-1 call coming from within the building, and the building is serviced by its own medical, fire, and security personnel. Buildings that are exempt under this paragraph are subject to emergency phone system certification by the Administrator.

(3) Buildings in communities not serviced by enhanced 9-1-1 service are exempt from subsection (a).

(c) This Section does not apply to any MLTS telephone extension that uses radio transmissions to convey electrical signals directly between the telephone extension and the serving MLTS.

(d) Any entity that installs, manages, or operates an MLTS service to businesses shall ensure that all systems installed on or after July 1, 2015 are connected to the public switched network so that when a user dials "9-1-1", the emergency call connects to the 9-1-1 system without first dialing any number or set of numbers.

(e) The requirements of this Section do not apply to:

(1) any entity certified by the Illinois Commerce Commission to operate a Private Emergency Answering Point as defined in 83 Ill. Adm. Code 1326.105; or

(2) correctional institutions and facilities as defined in subsection (d) of Section 3-1-2 of the Unified Code of Corrections.

(f) An entity that violates this Section is guilty of a business offense and shall be fined not less than $1,000 and not more than $5,000.

(g) Nothing in this Section shall be construed to preclude the Attorney General on behalf of the Illinois State Police or on his or her own initiative, or any other interested person, from seeking judicial relief, by mandamus, injunction, or otherwise, to compel compliance with this Section.

(h) The Illinois State Police may adopt rules for the administration of this Section.

(50 ILCS 750/15.6c new)

Sec. 15.6c. Requirements for MLTS installed after February 16, 2020.

(a) An entity engaged in the business of manufacturing, importing, selling, or leasing MLTS may not manufacture or import for use or sell or lease or offer to sell or lease an MLTS unless the system is pre-configured so that when it is properly installed, in accordance with subsections (b) and (c) and Section 15.8a, a user may directly initiate a call to 9-1-1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code, such as the digit "9", regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for the other calls.

(b) An entity engaged in the business of manufacturing, importing, selling, or leasing MLTS may not install, manage, or operate for use an MLTS unless the system is configured so that a user may directly initiate a call to 9-1-1 from any station equipped with dialing facilities, without dialing any additional digit, code, prefix, or post-fix, including any trunk-access code, such as the digit "9", regardless of whether the user is required to dial such a digit, code, prefix, or post-fix for other calls.

(c) An entity engaged in the business of manufacturing, importing, selling, or leasing MLTS shall, in installing, managing, or operating an MLTS, configure the system to provide MLTS notification to a central location at the facility where the system is installed or to another person or organization regardless of location, if the system is able to be configured to provide the notification without an improvement to the hardware or software of the system. MLTS notification must meet the following requirements:

(1) MLTS notification must be initiated contemporaneously with the 9-1-1 call, provided that it is technically feasible to do so;

(2) MLTS notification must not delay the call to 9-1-1; and

(3) MLTS notification must be sent to a location where someone is likely to see or hear it.

(50 ILCS 750/15.8a new)

Sec. 15.8a. Configuration of MLTS.

(a) An entity engaged in the business of installing an MLTS may not install such a system unless it is configured so that it is capable of being programmed with and conveying the dispatchable location of the 9-1-1 caller consistent with the following:

(1) An on-premises, fixed telephone associated with an MLTS shall provide an automated dispatchable location.

(2) An on-premises, non-fixed device associated with an MLTS shall provide an automated dispatchable location, if technically feasible; otherwise, it shall provide a dispatchable location based on end-user manual update or alternative location information.

(3) An off-premises device associated with an MLTS shall provide an automated dispatchable location, if technically feasible; otherwise, it shall provide dispatchable location based on end-user manual update or enhanced location information, which may be coordinate-based and shall provide the best available location that can be obtained from any available technology or combination of technologies at reasonable cost.

(b) An entity engaged in the business of manufacturing, importing, selling, or leasing MLTS may not manufacture or import for use, or sell or lease or offer to sell or lease, an MLTS unless such system has the capability, after proper installation in accordance with subsections (b) and (c) of Section 15.6c and this Section, of providing the dispatchable location of the 9-1-1 caller.

(c) Alternative location information may be coordinate-based, and it must be sufficient to identify the caller's civic address and approximate in-building location, including floor level, in large buildings.

(d) A person engaged in the business of managing or operating an MLTS may not manage or operate such a system unless it is configured such that the dispatchable location of the 9-1-1 caller is consistent with paragraphs (1), (2), and (3) of subsection (a).

(50 ILCS 750/60)

(Section scheduled to be repealed on December 31, 2023)

Sec. 60. Interconnected VoIP providers. Interconnected VoIP providers in Illinois shall be subject in a competitively neutral manner to the same provisions and requirements of this Act as are provided for telecommunications carriers, including, but not limited to, the imposition, collection, and remitting of surcharges. Interconnected VoIP services shall not be considered an intrastate telecommunications service for the purposes of this Act in a manner inconsistent with federal law or Federal Communications Commission regulation.

(Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

(50 ILCS 750/15.6 rep.)

(50 ILCS 750/15.8 rep.)

Section 10. The Emergency Telephone System Act is amended by repealing Sections 15.6 and 15.8.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 5502

AMENDMENT NO. 3 . Amend House Bill 5502, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 15, line 8, after "appropriate", by inserting "emergency".

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 Cunningham, **House Bill No. 5502** 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 None.

The following voted in the affirmative:

Anderson	Gillespie	Martwick	Stadelman
Aquino	Glowiak Hilton	McClure	Stoller
Bailey	Harris	Morrison	Syverson
Barickman	Hastings	Muñoz	Tracy
Belt	Holmes	Murphy	Turner, D.
Castro	Hunter	Pacione-Zayas	Van Pelt
Connor	Johnson	Pappas	Villa
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Mr. President

Ellman	Landek	Rose
Feigenholtz	Lightford	Simmons
Fine	Loughran Cappel	Sims

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

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

HOUSE BILL RECALLED

On motion of Senator Rezin, **House Bill No. 5506** was recalled from the order of third reading to the order of second reading.

Senator Rezin offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 5506

AMENDMENT NO. 1 . Amend House Bill 5506 on page 6, immediately below line 13, by inserting the following:

"(11) A requirement that the school district and community college annually assess disaggregated data pertaining to dual credit course enrollments, completions, and subsequent postsecondary enrollment and performance to the extent feasible. If applicable, this assessment shall include an analysis of dual credit courses with credit sections for dual credit and for high school credit only pursuant to subsection (a) of Section 16.5 that reviews student characteristics by credit section in relation to gender, race and ethnicity, and low-income status."; and

on page 7, immediately below line 6, by inserting the following:

"(c) High schools shall establish procedures, prior to the first day of class, to notify all individual high school students enrolled in a mixed enrollment dual credit course that includes students who have and have not met the criteria for dual credit coursework of whether or not they are eligible to earn college credit for the course.".

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 Rezin, **House Bill No. 5506** 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 None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Rose
Aquino	Gillespie	Loughran Cappel	Sims
Bailey	Glowiak Hilton	Martwick	Stadelman
Barickman	Harris	McClure	Stoller
Belt	Hastings	Morrison	Syverson
Bennett	Holmes	Muñoz	Tracy
Castro	Hunter	Murphy	Van Pelt
Connor	Johnson	Pacione-Zayas	Villanueva
Cunningham	Jones, E.	Pappas	Villivalam

DeWitte	Joyce	Peters	Mr. President
Ellman	Koehler	Plummer	
Feigenholtz	Landek	Rezin	

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 Simmons asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5506**.

On motion of Senator Bennett, **House Bill No. 5464** 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 6.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Rose	Syverson
Plummer	Stoller	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 Amendment adopted thereto.

On motion of Senator Stadelman, **House Bill No. 5532** 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 2.

The following voted in the affirmative:

Aquino	Gillespie	Loughran Cappel	Stadelman
Barickman	Glowiak Hilton	Martwick	Syverson
Belt	Harris	McClure	Tracy
Bennett	Hastings	Morrison	Turner, D.
Castro	Holmes	Muñoz	Van Pelt

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

The following voted in the negative:

Anderson
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.

ANNOUNCEMENT

The Chair announced that the Executive Committee is to meet at 2:00 o'clock p.m.

At the hour of 1:33 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 2:53 o'clock p.m., the Senate resumed consideration of business.

Senator Holmes, presiding.

REPORT FROM STANDING COMMITTEE

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 4772 and 5013**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

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

Senate Amendment No. 2 to House Bill 5439
Senate Amendment No. 2 to House Bill 5463

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

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 953

Offered by Senator Gillespie and all Senators:
Mourns the death of Col. Jerry Noel Hoblit.

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

MESSAGE 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. 3853

A bill for AN ACT concerning State government.

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

House Amendment No. 1 to SENATE BILL NO. 3853

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3853

AMENDMENT NO. 1 . Amend Senate Bill 3853 by replacing everything after the enacting clause with the following:

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

(20 ILCS 505/5.46 new)

Sec. 5.46. Extended Family Support Pilot Program. The Department may consult with independent partners to review Extended Family Support Program services and advise if additional services are needed prior to the start of the pilot program required under this Section. Beginning January 1, 2023, the Department shall implement a 3-year pilot program of additional resources for families receiving Extended Family Support Program services from the Department for the purpose of supporting relative caregivers. These resources may include, but are not limited to: (i) wraparound case management services, (ii) home visiting services for caregivers with children under the age of 5, and (iii) parent mentors for caregivers with children over the age of 3.

The services for the Extended Family Support Program are expanded given the program's inclusion in the Family First Prevention Services Act's targeted populations. Other target populations include intact families, pregnant and parenting youth, reunification within 6 months, and post adoption and subsidized guardianship. Inclusion provides the array of evidence-based interventions included within the State's Family First Prevention Services plan. Funding through Title IV-E of the Social Security Act shall be spent on services to prevent children and youth who are candidates for foster care from coming into care and allow them to remain with their families. Given the inclusion of the Extended Family Support Program in the Family First Prevention Services Act, the program is a part of the independent evaluation of Family First Prevention Services. This includes tracking deflection from foster care.

The resources provided by the pilot program are voluntary and refusing such resources shall not be used as evidence of neglect of a child.

The Department shall arrange for an independent evaluation of the pilot program to determine whether the pilot program is successfully supporting families receiving Extended Family Support Program services or Family First Prevention Program services and preventing entrance into the foster care system. This evaluation will support determining whether there is a long-term cost benefit to continuing the pilot program.

At the end of the 3-year pilot program, the Department shall submit a report to the General Assembly with its findings of the evaluation. The report shall state whether the Department intends to continue the pilot program and the rationale for its decision.

The Department may adopt rules and procedures to implement and administer this Section.

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

Under the rules, the foregoing **Senate Bill No. 3853**, with House Amendment No. 1, was referred to the Secretary's Desk.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

At the hour of 2:55 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 3:59 o'clock p.m., the Senate resumed consideration of business.
Senator Cunningham, presiding.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator McConchie, **House Bill No. 4772** 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 4772

AMENDMENT NO. 1 . Amend House Bill 4772 on page 13, immediately below line 10, by inserting the following:

"(55 ILCS 5/5-45047 new)

Sec. 5-45047. Exception. Nothing in this Division shall prevent a county from using a qualification-based selection process for design professionals or construction managers for design-build projects.".

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

On motion of Senator Van Pelt, **House Bill No. 5013** 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 5013

AMENDMENT NO. 1 . Amend House Bill 5013 by replacing everything after the enacting clause with the following:

"Section 5. The Birth Center Licensing Act is amended by changing Sections 5 and 25 as follows:

(210 ILCS 170/5)

Sec. 5. Definitions. In this Act:

"Birth center" means a designated site, other than a hospital:

(1) in which births are planned to occur following a normal, uncomplicated, and low-risk pregnancy;

(2) that is not the pregnant person's usual place of residence;

(3) that is exclusively dedicated to serving the childbirth-related needs of pregnant persons and their newborns, and has no more than 10 beds;

(4) that offers prenatal care and community education services and coordinates these services with other health care services available in the community; and

(5) that does not provide general anesthesia or surgery.

"Certified nurse midwife" means an advanced practice registered nurse licensed in Illinois under the Nurse Practice Act with full practice authority or who is delegated such authority as part of a written collaborative agreement with a physician who is associated with the birthing center or who has privileges at a nearby birthing hospital.

"Department" means the Illinois Department of Public Health.

"Hospital" does not include places where pregnant females are received, cared for, or treated during delivery if it is in a licensed birth center, nor include any facility required to be licensed as a birth center.

"Licensed certified professional midwife" means a person who has successfully met the requirements under Section 45 of the Licensed Certified Professional Midwife Practice Act and holds an active license to practice as a licensed certified professional midwife in Illinois.

"Physician" means a physician licensed to practice medicine in all its branches in Illinois.

(Source: P.A. 102-518, eff. 8-20-21.)

(210 ILCS 170/25)

Sec. 25. Staffing.

(a) A birth center shall have a clinical director, who may be:

(1) a physician who is either certified or eligible for certification by the American College of Obstetricians and Gynecologists or the American Board of Osteopathic Obstetricians and Gynecologists or has hospital obstetrical privileges; or

(2) a certified nurse midwife.

(b) The clinical director shall be responsible for:

(1) the development of policies and procedures for services as provided by Department rules;

(2) coordinating the clinical staff and overall provision of patient care;

(3) developing and approving policies defining the criteria to determine which pregnancies are accepted as normal, uncomplicated, and low-risk; and

(4) developing and approving policing regarding the anesthesia services available at the center.

(c) An obstetrician, family practitioner, ~~or~~ certified nurse midwife, or licensed certified professional midwife shall attend each person in labor from the time of admission through birth and throughout the immediate postpartum period. Attendance may be delegated only to another physician, ~~or~~ a certified nurse midwife, or a licensed certified professional midwife.

(d) A second staff person shall be present at each birth who:

(1) is licensed or certified in Illinois in a health-related field and under the supervision of a physician, ~~or~~ a certified nurse midwife, or a licensed certified professional midwife who is in attendance;

(2) has specialized training in labor and delivery techniques and care of newborns; and

(3) receives planned and ongoing training as needed to perform assigned duties effectively.

(Source: P.A. 102-518, eff. 8-20-21.)

Section 10. The Illinois Public Aid Code is amended by changing Section 5-5.24 as follows:

(305 ILCS 5/5-5.24)

Sec. 5-5.24. Prenatal and perinatal care.

(a) The Department of Healthcare and Family Services may provide reimbursement under this Article for all prenatal and perinatal health care services that are provided for the purpose of preventing low-birthweight infants, reducing the need for neonatal intensive care hospital services, and promoting perinatal and maternal health. These services may include comprehensive risk assessments for pregnant individuals, individuals with infants, and infants, lactation counseling, nutrition counseling, childbirth support, psychosocial counseling, treatment and prevention of periodontal disease, language translation, nurse home visitation, and other support services that have been proven to improve birth and maternal health outcomes. The Department shall maximize the use of preventive prenatal and perinatal health care services consistent with federal statutes, rules, and regulations. The Department of Public Aid (now Department of Healthcare and Family Services) shall develop a plan for prenatal and perinatal preventive health care and shall present the plan to the General Assembly by January 1, 2004. On or before January 1, 2006 and every 2 years thereafter, the Department shall report to the General Assembly concerning the effectiveness of prenatal and perinatal health care services reimbursed under this Section in preventing low-birthweight infants and reducing the need for neonatal intensive care hospital services. Each such report shall include an evaluation of how the ratio of expenditures for treating low-birthweight infants compared with the investment in promoting healthy births and infants in local community areas throughout Illinois relates to healthy infant development in those areas.

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

(b)(1) As used in this subsection:

"Affiliated provider" means a provider who is enrolled in the medical assistance program and has an active contract with a managed care organization.

"Non-affiliated provider" means a provider who is enrolled in the medical assistance program but does not have a contract with an MCO.

"Preventive prenatal and perinatal health care services" means services described in subsection (a) including the following non-emergent diagnostic and ancillary services:

(i) Diagnostic labs and imaging, including level II ultrasounds.

(ii) RhoGAM injections.

(iii) Injectable 17-alpha-hydroxyprogesterone caproate (commonly called 17P).

(iv) Intrapartum (labor and delivery) services.

(v) Any other outpatient or inpatient service relating to pregnancy or the 12 months following childbirth or fetal loss.

(2) In order to maximize the accessibility of preventive prenatal and perinatal health care services, the Department of Healthcare and Family Services shall amend its managed care contracts such that an MCO must pay for preventive prenatal services, perinatal healthcare services, and postpartum services rendered by a non-affiliated provider, for which the health plan would pay if rendered by an affiliated provider, at the rate paid under the Illinois Medicaid fee-for-service program methodology for such services, including all policy adjusters, including, but not limited to, Medicaid High Volume Adjustments, Medicaid Percentage Adjustments, Outpatient High Volume Adjustments, and all outlier add-on adjustments to the extent such adjustments are incorporated in the development of the applicable MCO capitated rates, unless a different rate was agreed upon by the health plan and the non-affiliated provider.

(3) In cases where a managed care organization must pay for preventive prenatal services, perinatal healthcare services, and postpartum services rendered by a non-affiliated provider, the requirements under paragraph (2) shall not apply if the services were not emergency services, as defined in Section 5-30.1, and:

(A) the non-affiliated provider is a perinatal hospital and has, within the 12 months preceding the date of service, rejected a contract that was offered in good faith by the health plan as determined by the Department; or

(B) the health plan has terminated a contract with the non-affiliated provider for cause, and the Department has not deemed the termination to have been without merit. The Department may deem that a determination for cause has merit if:

(i) an institutional provider has repeatedly failed to conduct discharge planning; or

(ii) the provider's conduct adversely and substantially impacts the health of Medicaid patients; or

(iii) the provider's conduct constitutes fraud, waste, or abuse; or

(iv) the provider's conduct violates the code of ethics governing his or her profession.

(Source: P.A. 102-665, eff. 10-8-21.)

Section 99. Effective date. This Act takes effect January 1, 2023.".

Committee Amendment No. 2 was held in the Committee on Assignments earlier today.

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

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

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

SENATE BILL NO. 702

A bill for AN ACT concerning aging.

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. 702

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 702

AMENDMENT NO. 1 . Amend Senate Bill 702, on page 3, immediately below line 19, by inserting the following:

"(19) One senior, appointed by the Department on Aging, who lives in one of the following counties: DuPage, Kane, Lake, McHenry, or Will.".

Under the rules, the foregoing **Senate Bill No. 702**, 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. 4006

A bill for AN ACT concerning health.

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

House Amendment No. 1 to SENATE BILL NO. 4006

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 4006

AMENDMENT NO. 1 . Amend Senate Bill 4006 by replacing everything after the enacting clause with the following:

"Section 5. The Autism Spectrum Disorders Reporting Act is amended by adding Sections 32 and 33 as follows:

(410 ILCS 201/32 new)

Sec. 32. Reporting; access to applied behavior analysis. By no later than December 31 of each year the Department of Healthcare and Family Services (HFS) shall submit a report, covering the State fiscal year immediately preceding that date, to the General Assembly regarding access to applied behavior analysis therapy for persons diagnosed with autism spectrum disorder. The report shall include, but is not limited to, the following information:

(1) The number of providers enrolled in the Illinois Medical Assistance Program certified to provide applied behavioral analysis therapy services in the Department of Healthcare and Family Services' fee-for-service or managed care service delivery system, in accordance with administrative rule and Department of Healthcare and Family Services policy.

(2) The number of HFS-enrolled children in Illinois with an autism spectrum disorder diagnosis receiving applied behavior analysis therapy services pursuant to the Department of Healthcare and Family Services' fee-for-service or managed care service delivery system.

(3) Subject to data availability, the number of HFS-enrolled children with an autism spectrum disorder diagnosis for whom applied behavioral analysis therapy services have been recommended or requested, but who are not receiving applied behavioral analysis therapy services.

(4) Subject to data availability for HFS-enrolled children in Illinois with an autism spectrum disorder diagnosis, the number of prior authorization service denials for applied behavioral analysis therapy services and the number of appeals resulting from those denials for applied behavioral analysis therapy services.

(5) Recommendations on improving applied behavioral analysis therapy provider network adequacy and enrollee access.

(410 ILCS 201/33 new)

Sec. 33. Education and outreach materials; autism spectrum disorder. The Department shall develop and distribute education and outreach materials, developed to address common literacy levels, that will inform and educate parents of children with autism spectrum disorder who are enrolled in Medicaid and eligible to receive relevant services and explain how to access those services.".

Under the rules, the foregoing **Senate Bill No. 4006**, 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. 4024

A bill for AN ACT concerning State government.

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

House Amendment No. 1 to SENATE BILL NO. 4024

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 4024

AMENDMENT NO. 1 . Amend Senate Bill 4024 on page 8 by replacing line 9 with "hyperlink ~~labeled "Resident's and Families' Right to Know""~~".

Under the rules, the foregoing **Senate Bill No. 4024**, 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. 434

A bill for AN ACT concerning State government.

Passed the House, May 31, 2021.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 434** was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 434, sponsored by Senator Van Pelt, was taken up, read by title a first time and referred to the Committee on Assignments.

PRESENTATION OF RESOLUTION

Senator Pacione-Zayas offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 954

WHEREAS, The first years of a child's life are the period of the most rapid brain development and lay the foundation for all future learning; children's cognitive, physical, social and emotional, and language and literacy development are built on the foundation of positive interactions with adults, peers, and their environment; and

WHEREAS, There are 916,880 children birth through age five in our State, 19% of whom live in families with incomes at or below 100% Federal Poverty Level; and

WHEREAS, In Illinois, 69% of children have all available parents in the workforce; and

WHEREAS, High-quality early childhood programs provide important benefits to children, families, and our state and national economies; and

WHEREAS, High-quality early care and education can help ameliorate the effects of poverty, detect and remediate delays, identify and help prevent child neglect, and lead to positive outcomes for individual children, helping them be better prepared for school and more likely to succeed in life; and

WHEREAS, Participation in high–quality early childhood education saves taxpayer dollars, makes working families more economically secure, and prepares children to succeed in school, earn higher wages, and live healthier lives; and

WHEREAS, Many early childhood educators do not have equitable, affordable access to needed early childhood education credentials and degrees; in Illinois, 70% of licensed early childhood educators have earned degrees; and

WHEREAS, Tuition from fee–paying parents and subsidy rates for families with low incomes are typically insufficient to afford consistent early childhood education with highly–qualified early childhood educators and low child–to–early educator ratios that ensure the health and safety of children; and

WHEREAS, Payment rates provided to early childhood educators to provide high–quality early care and education services to low–income children do not cover the costs of quality; and

WHEREAS, The lack of sufficient public investment in the face of the COVID-19 pandemic has forced child care programs, educators, and families into a series of impossible choices with devastating consequences; and

WHEREAS, The essential yet chronically undervalued child care sector has sacrificed and struggled to serve children and families since the start of the COVID pandemic; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare April 2-8, 2022 as the Week of the Young Child and April 30, 2022 as El Dia Del Niño (Children's Day) in the State of Illinois; and be it further

RESOLVED, That we recognize the complex, valuable, essential, and demanding work of early childhood educators and recognize that when our society invests in educators, we also invest in children and families; and be it further

RESOLVED, That we urge all communities to support efforts that increase access to high–quality early childhood education for all children and families.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Harris, **Senate Bill No. 3201** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 46; NAYS 3.

The following voted in the affirmative:

Aquino	Harris	McConchie	Stoller
Bailey	Holmes	Morrison	Syverson
Barickman	Hunter	Muñoz	Tracy
Belt	Johnson	Murphy	Turner, D.
Bennett	Jones, E.	Pacione-Zayas	Van Pelt

Castro	Joyce	Pappas	Villa
Connor	Koehler	Peters	Villanueva
Cunningham	Landek	Plummer	Villivalam
Feigenholtz	Lightford	Rose	Wilcox
Fine	Loughran Cappel	Simmons	Mr. President
Gillespie	Martwick	Sims	
Glowiak Hilton	McClure	Stadelman	

The following voted in the negative:

DeWitte
Fowler
Rezin

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

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Villivalam, **House Bill No. 2775** 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 30; NAYS 17.

The following voted in the affirmative:

Belt	Gillespie	Martwick	Sims
Bennett	Glowiak Hilton	Morrison	Van Pelt
Castro	Harris	Muñoz	Villa
Connor	Hunter	Murphy	Villanueva
Cunningham	Johnson	Pacione-Zayas	Villivalam
Ellman	Jones, E.	Pappas	Mr. President
Feigenholtz	Koehler	Peters	
Fine	Lightford	Simmons	

The following voted in the negative:

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

This roll call verified.

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 Aquino asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 2775**.

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. 645

A bill for AN ACT concerning employment.

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

House Amendment No. 2 to SENATE BILL NO. 645

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 645

AMENDMENT NO. 2 . Amend Senate Bill 645 by replacing everything after the enacting clause with the following:

"Section 5. The Employee Sick Leave Act is amended by changing Section 21 as follows:

(820 ILCS 191/21)

Sec. 21. Employments exempted from coverage.

(a) This Act does not apply to an employer or employee as defined in either the federal Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.) or the Federal Employers' Liability Act, United States Code, Title 45, Sections 51 through 60, or other comparable federal law.

(b) Nothing in this Act shall be construed to invalidate, diminish, or otherwise interfere with any collective bargaining agreement nor shall it be construed to invalidate, diminish, or otherwise interfere with any party's power to collectively bargain such an agreement. The rights afforded under this Act serve as the minimum standard in a negotiated collective bargaining agreement.

(c) This Act does not apply to any other employment expressly exempted under rules adopted by the Department as necessary to implement this Act in accordance with applicable State and federal law.

(Source: P.A. 102-678, eff. 12-10-21.)".

Under the rules, the foregoing **Senate Bill No. 645**, 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. 1486

A bill for AN ACT concerning State government.

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

House Amendment No. 3 to SENATE BILL NO. 1486

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 3 TO SENATE BILL 1486

AMENDMENT NO. 3 . Amend Senate Bill 1486 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by adding Section 21.6 as follows:

(20 ILCS 505/21.6 new)

Sec. 21.6. Front-line staff members; personal protection spray devices.

(a) As used in this Section:

"Front-line staff member" or "staff member" means an individual who engages with families in their home settings.

"Personal protection spray device" means a commercially available dispensing device designed and intended for use in self-defense which is comprised of non-lethal Oleoresin Capsicum and is specifically approved by the Department in consultation with the Illinois State Police.

(b) A front-line staff member is authorized to carry and use personal protection spray devices for self-defense purposes while investigating a report of child abuse or neglect if the front-line staff member has been trained on the proper use of such personal protection spray devices by the Department, in consultation with the Illinois State Police. By January 1, 2023, the Department, in consultation with the Illinois State Police, shall (i) identify a list of approved personal protection spray devices and (ii) jointly develop and approve a training curriculum and program for front-line staff members on the proper use of such personal protection spray devices for self-defense purposes. The Department shall provide funding for the training program.

(c) Personal protection spray device use. A personal protection spray device may only be used if a front-line staff member:

(1) reasonably believes that use is necessary to protect the staff member from an imminent physical assault posed by another person;

(2) uses the device to incapacitate a person attempting a physical assault in order to avoid imminent physical harm and to facilitate escape from danger when there is no other alternative available to the staff member;

(3) uses a device approved by the Department, in consultation with the Illinois State Police;

(4) except in exigent circumstances, has issued a verbal warning to persons in close proximity to the spray area in accordance with the training jointly developed by the Department, in consultation with the Illinois State Police;

(5) does not intentionally spray any person other than a person attempting to physically assault the front-line staff member; and

(6) has successfully completed training on how to use the approved devices, de-escalation techniques, pre-contact cues, and situation awareness.

A front-line staff member's use of personal protection spray devices during the performance of his or her professional duties in any manner other than as expressly authorized under this Section shall be prohibited by Department policy. Whenever a front-line staff member discharges a personal protection spray device, the front-line staff member shall complete an incident report.

(d) Duty to seek medical care for bystanders. Following the discharge of a personal protection spray device that results in exposure, the front-line staff member shall notify his or her supervisor and, if appropriate, call 9-1-1 for emergency response or responders as soon as reasonably practical and when safe to do so.

(e) Reporting. Beginning January 1, 2024, and every January 1 thereafter, the Department shall post on its website a report containing the following information for the preceding calendar year: (i) the number of front-line staff members trained to carry personal protection spray devices; (ii) the number of front-line staff members who report carrying personal protection spray devices and the make or model of the devices; and (iii) the number of reported uses of personal protection spray devices by service region. In addition, the Department shall report each incident involving the deployment of a personal protection spray device that occurred during the preceding calendar year, including:

(1) the estimated age, gender, and race of the intended target of the personal protection spray device;

(2) whether there were injuries to the intended target resulting from the deployment of the personal protection spray device;

(3) the age, gender, and race of the front-line staff member who utilized the personal protection spray device; and

(4) whether there were injuries to the front-line staff member resulting from the incident.

The Department shall also report yearly data on the number of personal protection spray device deployments found to be against Department policy.

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

Under the rules, the foregoing **Senate Bill No. 1486**, 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. 2940

A bill for AN ACT concerning electric vehicles.
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. 2940
Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 2940

AMENDMENT NO. 2 . Amend Senate Bill 2940 on page 22, line 17, by replacing "$1,000" with "$1,500 ~~$1,000~~".

Under the rules, the foregoing **Senate Bill No. 2940**, 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. 2942

A bill for AN ACT concerning criminal law.
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. 2942
Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 3 TO SENATE BILL 2942

AMENDMENT NO. 3 . Amend Senate Bill 2942 on page 1, line 16, by inserting after "media." the following:
"When the court publishes to the trier of fact videos, photographs, or any depiction of a minor under 18 years of age engaged in a sex act, the court may exclude from the proceedings all persons, who in the opinion of the court, do not have a direct interest in the case, except the media.".

Under the rules, the foregoing **Senate Bill No. 2942**, 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. 3082

A bill for AN ACT concerning State government.
Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
House Amendment No. 2 to SENATE BILL NO. 3082
Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3082

AMENDMENT NO. 2 . Amend Senate Bill 3082 by replacing everything after the enacting clause with the following:

"Section 3. The High-Speed Railway Commission Act is amended by changing Section 5 as follows:

(20 ILCS 4102/5)

(Section scheduled to be repealed on January 1, 2027)

Sec. 5. Commission created; membership.

(a) There is created the High-Speed Railway Commission to carry out the duties set forth in Section 10.

(b) The Commission shall be composed of the following members:

(1) The Governor or his or her designee.

(2) The President of the Senate or his or her designee.

(3) The Minority Leader of the Senate or his or her designee.

(4) The Speaker of the House of Representatives or his or her designee.

(5) The Minority Leader of the House of Representatives or his or her designee.

(6) The Secretary of Transportation or his or her designee.

(7) The Chairperson of the Illinois State Toll Highway Authority or his or her designee.

(8) The Chairperson of the Illinois Commerce Commission or his or her designee.

(9) The Chairperson of the Commuter Rail Board ~~Board of Directors of Metra~~ or his or her designee.

(10) The Mayor of the City of Chicago or his or her designee.

(11) A representative of a labor organization representing rail workers, appointed by the Governor.

(12) A representative of a trade organization related to the rail industry, appointed by the Governor.

(13) A representative of the Metropolitan Mayors and Managers Association, appointed by the Governor.

(14) A representative from the Illinois Railroad Association, appointed by the Governor.

(15) A representative from the University of Illinois System, appointed by the Governor.

(16) A representative from the Chicago Metropolitan Agency for Planning, appointed by the Governor.

(17) A representative of the Illinois Municipal League, appointed by the Governor.

(18) A representative of the Champaign-Urbana Mass Transit District, appointed by the Governor.

(19) A representative of the Region 1 Planning Council, appointed by the Governor.

(20) A representative of the McLean County Regional Planning Commission, appointed by the Governor.

(21) A representative of the East-West Gateway Council of Governments, appointed by the Governor.

(c) The Chairperson of the Commission shall be elected from the Commission's membership by a simple majority vote of the total membership of the Commission. The Vice-Chairperson of the Commission shall be elected from the Commission's membership by a simple majority vote of the total membership of the Commission.

(d) Appointments made by the Governor under subsection (b) shall be made no later than January 1, 2023 ~~The Governor, President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, and Minority Leader of the House of Representatives shall make their initial appointments to the Commission by January 1, 2022~~.

(e) Vacancies in Commission membership shall be filled in the same manner as provided under subsection (b) ~~initial appointments~~.

(f) Total membership of the Commission consists of the number of members serving on the Commission, not including any vacant positions. A quorum consists of a simple majority of total membership and shall be sufficient to conduct the business of the Commission, unless stipulated otherwise in the bylaws of the Commission.

(g) The Commission shall meet at least quarterly, and hold its first meeting within 30 days after the appointment of members under subsection (d).

(h) Members of the Commission shall receive no compensation for service as members.

(Source: P.A. 102-261, eff. 8-6-21.)

Section 5. The Local Journalism Task Force Act is amended by changing Sections 10 and 25 as follows:

(20 ILCS 4108/10)

(Section scheduled to be repealed on January 1, 2024)

Sec. 10. Membership.

(a) The Task Force shall include the following members: one member of the House of Representatives appointed by the Speaker of the House of Representatives; one member of the House of Representatives appointed by the Minority Leader of the House of Representatives; one member of the Senate appointed by the President of the Senate; one member of the Senate appointed by the Minority Leader of the Senate; and one member appointed by the Governor.

(b) The Task Force shall also include the following members appointed by the Governor: one representative of the Chicago News Guild; one representative of the Chicago Chapter of the National Association of Broadcast Employees and Technicians-Communication Workers of America; one representative of the Medill School of Journalism, Media, Integrated Marketing Communications at Northwestern University; one representative of the Public Affairs Reporting Program at the University of Illinois at Springfield; one representative of the School of Journalism at Southern Illinois University Carbondale; one representative of the Illinois Press Association; one representative of the Illinois Broadcasters Association; one representative of the Illinois Legislative Correspondents Association; one representative of the Illinois Public Broadcasting Council; one representative of the Illinois News Broadcasters Association; one representative of the University of Illinois at Urbana-Champaign; one representative of the Chicago Independent Media Alliance; one representative of the National Association of Black Journalists; one representative of the Association of LGBTQ Journalists; one representative of the National Association of Hispanic Journalists; one representative of the Asian American Journalists Association; one representative of the Native American Journalists Association; and one representative of the Illinois Municipal League.

(c) Appointments shall be made no later than 30 days following the effective date of this Act. Any additional appointments made pursuant to this amendatory Act of the 102nd General Assembly shall be made no later than 30 days following the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 102-569, eff. 1-1-22; 102-671, eff. 11-30-21.)

(20 ILCS 4108/25)

(Section scheduled to be repealed on January 1, 2024)

Sec. 25. Findings and recommendations. The Task Force shall submit its findings, along with its recommendations for legislation, to the Governor and the General Assembly no later than July 1, 2023 ~~one year after the effective date of this Act~~.

(Source: P.A. 102-569, eff. 1-1-22.)

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

Under the rules, the foregoing **Senate Bill No. 3082**, 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. 3097

A bill for AN ACT concerning revenue.

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

House Amendment No. 1 to SENATE BILL NO. 3097

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3097

AMENDMENT NO. 1 . Amend Senate Bill 3097 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 21-260, 22-10, and 22-25 as follows:

(35 ILCS 200/21-260)

Sec. 21-260. Collector's scavenger sale. Upon the county collector's application under Section 21-145, to be known as the Scavenger Sale Application, the Court shall enter judgment for the general taxes, special taxes, special assessments, interest, penalties and costs as are included in the advertisement and appear to be due thereon after allowing an opportunity to object and a hearing upon the objections as provided in Section 21-175, and order those properties sold by the County Collector at public sale, or by electronic automated sale if the collector chooses to conduct an electronic automated sale pursuant to Section 21-261, to the highest bidder for cash, notwithstanding the bid may be less than the full amount of taxes, special taxes, special assessments, interest, penalties and costs for which judgment has been entered.

(a) Conducting the sale; bidding ~~sale—Bidding~~. All properties shall be offered for sale in consecutive order as they appear in the delinquent list. The minimum bid for any property shall be $250 or one-half of the tax if the total liability is less than $500. For in-person scavenger sales, the successful bidder shall pay the amount of the minimum bid to the County Collector by the end of the business day on which the bid was placed. That amount shall be paid in cash, by certified or cashier's check, by money order, or, if the successful bidder is a governmental unit, by a check issued by that governmental unit. For electronic automated scavenger sales, the successful bidder shall pay the minimum bid amount by the close of the business day on which the bid was placed. That amount shall be paid online via ACH debit or by the electronic payment method required by the county collector. For in-person scavenger sales, if the bid exceeds the minimum bid, the successful bidder shall pay the balance of the bid to the county collector in cash, by certified or cashier's check, by money order, or, if the successful bidder is a governmental unit, by a check issued by that governmental unit by the close of the next business day. For electronic automated scavenger sales, the successful bidder shall pay, by the close of the next business day, the balance of the bid online via ACH debit or by the electronic payment method required by the county collector. If the minimum bid is not paid at the time of sale or if the balance is not paid by the close of the next business day, then the sale is void and the minimum bid, if paid, is forfeited to the county general fund. In that event, the property shall be reoffered for sale within 30 days of the last offering of property in regular order. The collector shall make available to the public a list of all properties to be included in any reoffering due to the voiding of the original sale. The collector is not required to serve or publish any other notice of the reoffering of those properties. In the event that any of the properties are not sold upon reoffering, or are sold for less than the amount of the original voided sale, the original bidder who failed to pay the bid amount shall remain liable for the unpaid balance of the bid in an action under Section 21-240. Liability shall not be reduced where the bidder upon reoffering also fails to pay the bid amount, and in that event both bidders shall remain liable for the unpaid balance of their respective bids. A sale of properties under this Section shall not be final until confirmed by the court.

(b) Confirmation of sales. The county collector shall file his or her report of sale in the court within 30 days of the date of sale of each property. No notice of the county collector's application to confirm the sales shall be required except as prescribed by rule of the court. Upon confirmation, except in cases where the sale becomes void under Section 22-85, or in cases where the order of confirmation is vacated by the court, a sale under this Section shall extinguish the in rem lien of the general taxes, special taxes and special assessments for which judgment has been entered and a redemption shall not revive the lien. Confirmation of the sale shall in no event affect the owner's personal liability to pay the taxes, interest and penalties as provided in this Code or prevent institution of a proceeding under Section 21-440 to collect any amount that may remain due after the sale.

(c) Issuance of tax sale certificates. Upon confirmation of the sale, the County Clerk and the County Collector shall issue to the purchaser a certificate of purchase in the form prescribed by Section 21-250 as near as may be. A certificate of purchase shall not be issued to any person who is ineligible to bid at the sale or to receive a certificate of purchase under Section 21-265.

(d) Scavenger Tax Judgment, Sale and Redemption Record; sale ~~Record—Sale~~ of parcels not sold. The county collector shall prepare a Scavenger Tax Judgment, Sale and Redemption Record. The county clerk shall write or stamp on the scavenger tax judgment, sale, forfeiture and redemption record opposite the description of any property offered for sale and not sold, or not confirmed for any reason, the words "offered but not sold". The properties which are offered for sale under this Section and not sold or not confirmed shall be offered for sale annually thereafter in the manner provided in this Section until sold, except in the case of mineral rights, which after 10 consecutive years of being offered for sale under this Section and not

sold or confirmed shall no longer be required to be offered for sale. At any time between annual sales the County Collector may advertise for sale any properties subject to sale under judgments for sale previously entered under this Section and not executed for any reason. The advertisement and sale shall be regulated by the provisions of this Code as far as applicable.

(e) Proceeding to tax deed. The owner of the certificate of purchase shall give notice as required by Sections 22-5 through 22-30, and may extend the period of redemption as provided by Section 21-385. At any time within 6 months prior to expiration of the period of redemption from a sale under this Code, the owner of a certificate of purchase may file a petition and may obtain a tax deed under Sections 22-30 through 22-55. ~~Within 30 days from filing of the petition, the owner of a certificate must file with the county clerk the names and addresses of the owners of the property and those persons entitled to service of notice at their last known addresses. The clerk shall mail notice within 30 days from the date of the filing of addresses with the clerk.~~ All proceedings for the issuance of a tax deed and all tax deeds for properties sold under this Section shall be subject to Sections 22-30 through 22-55. Deeds issued under this Section are subject to Section 22-70. This Section shall be liberally construed so that the deeds provided for in this Section convey merchantable title.

(f) Redemptions from scavenger sales. Redemptions may be made from sales under this Section in the same manner and upon the same terms and conditions as redemptions from sales made under the County Collector's annual application for judgment and order of sale, except that in lieu of penalty the person redeeming shall pay interest as follows if the sale occurs before September 9, 1993:

(1) If redeemed within the first 2 months from the date of the sale, 3% per month or portion thereof upon the amount for which the property was sold;

(2) If redeemed between 2 and 6 months from the date of the sale, 12% of the amount for which the property was sold;

(3) If redeemed between 6 and 12 months from the date of the sale, 24% of the amount for which the property was sold;

(4) If redeemed between 12 and 18 months from the date of the sale, 36% of the amount for which the property was sold;

(5) If redeemed between 18 and 24 months from the date of the sale, 48% of the amount for which the property was sold;

(6) If redeemed after 24 months from the date of sale, the 48% herein provided together with interest at 6% per year thereafter.

If the sale occurs on or after September 9, 1993, the person redeeming shall pay interest on that part of the amount for which the property was sold equal to or less than the full amount of delinquent taxes, special assessments, penalties, interest, and costs, included in the judgment and order of sale as follows:

(1) If redeemed within the first 2 months from the date of the sale, 3% per month upon the amount of taxes, special assessments, penalties, interest, and costs due for each of the first 2 months, or fraction thereof.

(2) If redeemed at any time between 2 and 6 months from the date of the sale, 12% of the amount of taxes, special assessments, penalties, interest, and costs due.

(3) If redeemed at any time between 6 and 12 months from the date of the sale, 24% of the amount of taxes, special assessments, penalties, interest, and costs due.

(4) If redeemed at any time between 12 and 18 months from the date of the sale, 36% of the amount of taxes, special assessments, penalties, interest, and costs due.

(5) If redeemed at any time between 18 and 24 months from the date of the sale, 48% of the amount of taxes, special assessments, penalties, interest, and costs due.

(6) If redeemed after 24 months from the date of sale, the 48% provided for the 24 months together with interest at 6% per annum thereafter on the amount of taxes, special assessments, penalties, interest, and costs due.

The person redeeming shall not be required to pay any interest on any part of the amount for which the property was sold that exceeds the full amount of delinquent taxes, special assessments, penalties, interest, and costs included in the judgment and order of sale.

Notwithstanding any other provision of this Section, except for owner-occupied single family residential units which are condominium units, cooperative units or dwellings, the amount required to be paid for redemption shall also include an amount equal to all delinquent taxes on the property which taxes were delinquent at the time of sale. The delinquent taxes shall be apportioned by the county collector among the taxing districts in which the property is situated in accordance with law. In the event that all moneys

received from any sale held under this Section exceed an amount equal to all delinquent taxes on the property sold, which taxes were delinquent at the time of sale, together with all publication and other costs associated with the sale, then, upon redemption, the County Collector and the County Clerk shall apply the excess amount to the cost of redemption.

(g) Bidding by county or other taxing districts. Any taxing district may bid at a scavenger sale. The county board of the county in which properties offered for sale under this Section are located may bid as trustee for all taxing districts having an interest in the taxes for the nonpayment of which the parcels are offered. The County shall apply on the bid the unpaid taxes due upon the property and no cash need be paid. The County or other taxing district acquiring a tax sale certificate shall take all steps necessary to acquire title to the property and may manage and operate the property so acquired.

When a county, or other taxing district within the county, is a petitioner for a tax deed, no filing fee shall be required on the petition. The county as a tax creditor and as trustee for other tax creditors, or other taxing district within the county shall not be required to allege and prove that all taxes and special assessments which become due and payable after the sale to the county have been paid. The county shall not be required to pay the subsequently accruing taxes or special assessments at any time. Upon the written request of the county board or its designee, the county collector shall not offer the property for sale at any tax sale subsequent to the sale of the property to the county under this Section. The lien of taxes and special assessments which become due and payable after a sale to a county shall merge in the fee title of the county, or other taxing district, on the issuance of a deed. The County may sell the properties so acquired, or the certificate of purchase thereto, and the proceeds of the sale shall be distributed to the taxing districts in proportion to their respective interests therein. The presiding officer of the county board, with the advice and consent of the County Board, may appoint some officer or person to attend scavenger sales and bid on its behalf.

(h) Miscellaneous provisions. In the event that the tract of land or lot sold at any such sale is not redeemed within the time permitted by law and a tax deed is issued, all moneys that may be received from the sale of properties in excess of the delinquent taxes, together with all publication and other costs associated with the sale, shall, upon petition of any interested party to the court that issued the tax deed, be distributed by the County Collector pursuant to order of the court among the persons having legal or equitable interests in the property according to the fair value of their interests in the tract or lot. Section 21-415 does not apply to properties sold under this Section. Appeals may be taken from the orders and judgments entered under this Section as in other civil cases. The remedy herein provided is in addition to other remedies for the collection of delinquent taxes.

(i) The changes to this Section made by Public Act 95-477 ~~this amendatory Act of the 95th General Assembly~~ apply only to matters in which a petition for tax deed is filed on or after June 1, 2008 (the effective date of Public Act 95-477) ~~this amendatory Act of the 95th General Assembly.~~

(j) The changes to this Section made by this amendatory Act of the 102nd General Assembly apply to matters in which a petition for tax deed is filed on or after the effective date of this amendatory Act of the 102nd General Assembly. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 102-519, eff. 8-20-21; 102-528, eff. 1-1-22; revised 10-18-21.)

(35 ILCS 200/22-10)

Sec. 22-10. Notice of expiration of period of redemption. A purchaser or assignee shall not be entitled to a tax deed to the property sold unless, not less than 3 months nor more than 6 months prior to the expiration of the period of redemption, he or she gives notice of the sale and the date of expiration of the period of redemption to the owners, occupants, and parties interested in the property, including any mortgagee of record, as provided below. ~~The clerk must mail notice in accordance with provisions of subsection (c) of Section 21-260.~~

The Notice to be given to the parties shall be in at least 10 point type in the following form completely filled in:

TAX DEED NO. ..... FILED .....

TAKE NOTICE

County of .....

Date Premises Sold .....

Certificate No. .....

Sold for General Taxes of (year) .....

Sold for Special Assessment of (Municipality)
and special assessment number .....
Warrant No. ..... Inst. No. .....

THIS PROPERTY HAS BEEN SOLD FOR
DELINQUENT TAXES

Property located at .....
Legal Description or Property Index No. .....
.....
.....

This notice is to advise you that the above property has been sold for delinquent taxes and that the period of redemption from the sale will expire on .....
.....

The amount to redeem is subject to increase at 6 month intervals from the date of sale and may be further increased if the purchaser at the tax sale or his or her assignee pays any subsequently accruing taxes or special assessments to redeem the property from subsequent forfeitures or tax sales. Check with the county clerk as to the exact amount you owe before redeeming.

This notice is also to advise you that a petition has been filed for a tax deed which will transfer title and the right to possession of this property if redemption is not made on or before .....

This matter is set for hearing in the Circuit Court of this county in ...., Illinois on .....

You may be present at this hearing but your right to redeem will already have expired at that time.

YOU ARE URGED TO REDEEM IMMEDIATELY
TO PREVENT LOSS OF PROPERTY

Redemption can be made at any time on or before .... by applying to the County Clerk of ...., County, Illinois at the Office of the County Clerk in ...., Illinois.

For further information contact the County Clerk
ADDRESS:.....
TELEPHONE:.....

.....
Purchaser or Assignee.
Dated (insert date).

In counties with 3,000,000 or more inhabitants, the notice shall also state the address, room number and time at which the matter is set for hearing.

The changes to this Section made by Public Act 97-557 ~~this amendatory Act of the 97th General Assembly~~ apply only to matters in which a petition for tax deed is filed on or after July 1, 2012 (the effective date of Public Act 97-557) ~~this amendatory Act of the 97th General Assembly.~~

The changes to this Section made by this amendatory Act of the 102nd General Assembly apply to matters in which a petition for tax deed is filed on or after the effective date of this amendatory Act of the 102nd General Assembly. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 102-528, eff. 1-1-22; revised 12-7-21.)

(35 ILCS 200/22-25)

Sec. 22-25. Mailed notice. In addition to the notice required to be served not less than 3 months nor more than 6 months prior to the expiration of the period of redemption, the purchaser or his or her assignee shall prepare and deliver to the clerk of the Circuit Court of the county in which the property is located, not more than 6 months and not less than 111 days prior to the expiration of the period of redemption, the notice provided for in this Section, together with the statutory costs for mailing the notice by certified mail, return receipt requested~~, as provided in subsection (e) of Section 21-260~~. The form of notice to be mailed by the clerk shall be identical in form to that provided by Section 22-10 for service upon owners residing upon the property sold, except that it shall bear the signature of the clerk instead of the name of the purchaser or assignee and shall designate the parties to whom it is to be mailed. The clerk may furnish the form. The clerk shall ~~promptly~~ mail the notices delivered to him or her by certified mail, return receipt requested, not less than 3 months prior to the expiration of the period of redemption. The certificate of the clerk that he or she has mailed the notices, together with the return receipts, shall be filed in and made a part of the court

record. The notices shall be mailed to the owners of the property at their last known addresses, and to those persons who are entitled to service of notice as occupants.

The changes to this Section made by this amendatory Act of the 97th General Assembly shall be construed as being declaratory of existing law and not as a new enactment.

The changes to this Section made by this amendatory Act of the 102nd General Assembly apply to matters in which a petition for tax deed is filed on or after the effective date of this amendatory Act of the 102nd General Assembly. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to the effective date of this amendatory Act of the 102nd General Assembly.

(Source: P.A. 102-528, eff. 1-1-22.)

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

Under the rules, the foregoing **Senate Bill No. 3097**, 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. 3597

A bill for AN ACT concerning land.

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. 3597

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3597

AMENDMENT NO. 2 . Amend Senate Bill 3597 by replacing everything after the enacting clause with the following:

"Article 1.

Section 1-5. The Director of Corrections, on behalf of the State of Illinois, is authorized to execute and deliver to the Village of Hopkins Park, organized and existing under the laws of the State of Illinois, of Kankakee County, State of Illinois, for and in consideration of $1 paid to the Department of Corrections, a quitclaim deed to the following real property:

Parcel Number 10-19-36-100-024, 16010 E 4500 RD S, Pembroke Township, IL 60958
Parcel Number 10-19-36-100-025, Pembroke Township, IL 60958
Parcel Number 10-19-36-100-026, Pembroke Township, IL 60958
Parcel Number 10-19-36-100-027, Pembroke Township, IL 60958

Section 1-10. The conveyance of real property authorized by Section 1-5 shall be made subject to: (1) existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants, and restrictions of record; and (2) the express condition that if the real property ceases to be used for public purposes, it shall revert to the State of Illinois, Department of Corrections.

Section 1-15. The Director of Corrections shall obtain a certified copy of this Act within 60 days after its effective date and, upon receipt of the payment required by Section 1-5, shall record the certified document in the Recorder's Office in the County in which the land is located.

Article 2.

Section 2-5. Subject to the conditions set forth in Section 2-10, the Director of the Department of Corrections, on behalf of the State of Illinois, shall execute and deliver to the Lockport Township Fire

Protection District, for and in consideration of $1 paid to the Department, a quitclaim deed for the following described real property:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 29; THENCE SOUTH 87 DEGREES 56 MINUTES 40 SECONDS WEST, ON THE NORTH LINE OF SAID NORTHEAST QUARTER, 400.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 03 MINUTES 20 SECONDS EAST, PERPENDICULAR TO SAID NORTH LINE, 800.00 FEET; THENCE SOUTH 87 DEGREES 56 MINUTES 40 SECONDS WEST, PARALLEL WITH SAID NORTH LINE, 700.00 FEET; THENCE NORTH 02 DEGREES 03 MINUTES 20 SECONDS WEST, PERPENDICULAR TO SAID NORTH LINE, 800.00 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 87 DEGREES 56 MINUTES 40 SECONDS EAST, ON SAID NORTH LINE, 700.00 FEET TO THE POINT OF BEGINNING, ALL IN WILL COUNTY, ILLINOIS.

SAID PARCEL CONTAINING 12.856 ACRES, MORE OR LESS.

Section 2-10. (a) The quitclaim deed executed under Section 2-5 shall convey all right, title, and interest of the State of Illinois and the Department of Corrections in and to the real property described in Section 2-5 to the Lockport Township Fire Protection District.

(b) The conveyance of real property authorized by Section 2-5 shall be made subject to existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants, and restrictions of record.

(c) The quitclaim deed to the Lockport Township Fire Protection District shall state on its face and be subject to the conditions that the real property shall be used by the Lockport Township Fire Protection District for a training center and that if the Lockport Township Fire Protection District ceases to exist, if the real property is used for any purposes other than a training center, or if an attempt is made to sell the property, then title shall revert without further action to the State of Illinois.

Section 2-15. The Director of the Department of Corrections shall prepare one or more quitclaim deeds to convey the real property. The Director may also record a certified copy of this Act. Each quitclaim deed shall reference this Act and contain the reversionary language from subsection (c) of Section 2-10. All documents of conveyance shall be recorded in the county in which the land is located.

Article 99.

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

Under the rules, the foregoing **Senate Bill No. 3597**, 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. 3682

A bill for AN ACT concerning regulation.

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. 3682

Passed the House, as amended, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3682

AMENDMENT NO. 2 . Amend Senate Bill 3682 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Reducing Cervical Cancer and Saving Lives Act.

Section 5. Applicability. This Act applies to a hospital, outpatient department, clinic, mobile unit, or other entity that provides cervical cancer screening services in the State of Illinois.

Section 10. Definitions. As used in this Act:

"Cervical cancer screening service" means an examination and laboratory test for the screening and detection of cervical cancer, including conventional Pap smear screening, liquid-based cytology, or human papillomavirus (HPV) detection methods.

"Department" means the Department of Public Health.

Section 15. Cervical cancer screening services; written report.

(a) A hospital, outpatient department, clinic, mobile unit, or other entity that provides a cervical cancer screening service shall prepare a written report of the results of any cervical cancer screening service provided to a patient. The written report shall be provided to the patient's referring health care professional. If a patient's referring health care professional is not available or if there is no such referring health care professional, only the summary of the written report under subsection (b) is required.

(b) A summary of the written report of the results of any cervical cancer screening service shall be sent directly to the patient in terms easily understood by a lay person. The summary of the written report may be provided electronically if the patient has consented to receive electronic communications. The summary of the written report shall advise the patient to consult with the patient's health care professional to discuss the results of the cervical cancer screening.

(c) The Department, in collaboration with experts in cervical cancer and cervical cancer screening, shall develop suggested cervical cancer screening reporting language, in terms easily understood by a lay person, to be sent to patients with the summary of the written report required under subsection (b).

(d) This Section does not create a duty of care or other legal obligation beyond the duty to provide a written report as set forth in this Section.

(e) This Section is operative beginning 6 months after the Department makes the suggested cervical cancer screening reporting language required under subsection (c) publicly available, including by posting the suggested cervical cancer screening reporting language on the Department's website.

Section 20. Human papillomavirus (HPV) vaccine services pilot program.

(a) The Department shall establish a pilot program to provide for the administration of human papillomavirus (HPV) vaccines to persons enrolled in the Department's Illinois Breast and Cervical Cancer Program who are:

(1) 26 years of age or younger, have not received the full HPV vaccine series, and would like to receive the vaccine series; or

(2) 26 years of age or older, have not completed the HPV vaccine series, and whose clinicians recommend the HPV vaccine series.

(b) The pilot program shall be implemented no later than July 1, 2024.

(c) Any lead agency of the Illinois Breast and Cervical Cancer Program may participate in the pilot program.

(d) This Section is repealed on June 30, 2027.

Section 50. The Illinois Public Aid Code is amended by changing Section 5-5 as follows:

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

Sec. 5-5. Medical services. The Illinois Department, by rule, shall determine the quantity and quality of and the rate of reimbursement for the medical assistance for which payment will be authorized, and the medical services to be provided, which may include all or part of the following: (1) inpatient hospital services; (2) outpatient hospital services; (3) other laboratory and X-ray services; (4) skilled nursing home services; (5) physicians' services whether furnished in the office, the patient's home, a hospital, a skilled

nursing home, or elsewhere; (6) medical care, or any other type of remedial care furnished by licensed practitioners; (7) home health care services; (8) private duty nursing service; (9) clinic services; (10) dental services, including prevention and treatment of periodontal disease and dental caries disease for pregnant individuals, provided by an individual licensed to practice dentistry or dental surgery; for purposes of this item (10), "dental services" means diagnostic, preventive, or corrective procedures provided by or under the supervision of a dentist in the practice of his or her profession; (11) physical therapy and related services; (12) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in the diseases of the eye, or by an optometrist, whichever the person may select; (13) other diagnostic, screening, preventive, and rehabilitative services, including to ensure that the individual's need for intervention or treatment of mental disorders or substance use disorders or co-occurring mental health and substance use disorders is determined using a uniform screening, assessment, and evaluation process inclusive of criteria, for children and adults; for purposes of this item (13), a uniform screening, assessment, and evaluation process refers to a process that includes an appropriate evaluation and, as warranted, a referral; "uniform" does not mean the use of a singular instrument, tool, or process that all must utilize; (14) transportation and such other expenses as may be necessary; (15) medical treatment of sexual assault survivors, as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act, for injuries sustained as a result of the sexual assault, including examinations and laboratory tests to discover evidence which may be used in criminal proceedings arising from the sexual assault; (16) the diagnosis and treatment of sickle cell anemia; (16.5) services performed by a chiropractic physician licensed under the Medical Practice Act of 1987 and acting within the scope of his or her license, including, but not limited to, chiropractic manipulative treatment; and (17) any other medical care, and any other type of remedial care recognized under the laws of this State. The term "any other type of remedial care" shall include nursing care and nursing home service for persons who rely on treatment by spiritual means alone through prayer for healing.

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

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

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

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

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

Covering ALL KIDS Health Insurance Program shall be submitted to the Department or the MCE in which the individual is enrolled for payment and shall be reimbursed at the Department's or the MCE's established rates or rate methodologies for eyeglasses.

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

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

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

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

On and after July 1, 2018, targeted dental services, as set forth in Exhibit D of the Consent Decree entered by the United States District Court for the Northern District of Illinois, Eastern Division, in the matter of Memisovski v. Maram, Case No. 92 C 1982, that are provided to adults under the medical assistance program shall be established at no less than the rates set forth in the "New Rate" column in Exhibit D of the Consent Decree for targeted dental services that are provided to persons under the age of 18 under the medical assistance program.

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

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

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

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

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

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

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

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

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

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

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

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

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

For purposes of this Section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Illinois Department may develop and contract with Partnerships of medical providers to arrange medical services for persons eligible under Section 5-2 of this Code. Implementation of this Section may be

by demonstration projects in certain geographic areas. The Partnership shall be represented by a sponsor organization. The Department, by rule, shall develop qualifications for sponsors of Partnerships. Nothing in this Section shall be construed to require that the sponsor organization be a medical organization.

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

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

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

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

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

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

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

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

Notwithstanding any other law to the contrary, the Illinois Department shall, within 365 days after July 22, 2013 (the effective date of Public Act 98-104), establish procedures to permit skilled care facilities licensed under the Nursing Home Care Act to submit monthly billing claims for reimbursement purposes. Following development of these procedures, the Department shall, by July 1, 2016, test the viability of the

new system and implement any necessary operational or structural changes to its information technology platforms in order to allow for the direct acceptance and payment of nursing home claims.

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

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

The Illinois Department may require that all dispensers of medical services desiring to participate in the medical assistance program established under this Article disclose, under such terms and conditions as the Illinois Department may by rule establish, all inquiries from clients and attorneys regarding medical bills paid by the Illinois Department, which inquiries could indicate potential existence of claims or liens for the Illinois Department.

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

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

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

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

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

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

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

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

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

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

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

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

To the extent consistent with applicable information and privacy, security, and disclosure laws, State and federal agencies and departments shall provide the Illinois Department access to confidential and other information and data necessary to perform eligibility and payment verifications and other Illinois Department functions. This includes, but is not limited to: information pertaining to licensure; certification; earnings; immigration status; citizenship; wage reporting; unearned and earned income; pension income; employment; supplemental security income; social security numbers; National Provider Identifier (NPI) numbers; the National Practitioner Data Bank (NPDB); program and agency exclusions; taxpayer identification numbers; tax delinquency; corporate information; and death records.

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

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

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

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

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

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

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

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

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

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

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

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

The period covered by each report shall be the 3 years ending on the June 30 prior to the report. The report shall include suggested legislation for consideration by the General Assembly. The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report as required by Section 3.1 of the General Assembly Organization Act, and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

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

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

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

Notwithstanding any other provision of this Code to the contrary, on or after July 1, 2015, all FDA approved forms of medication assisted treatment prescribed for the treatment of alcohol dependence or treatment of opioid dependence shall be covered under both fee for service and managed care medical assistance programs for persons who are otherwise eligible for medical assistance under this Article and shall not be subject to any (1) utilization control, other than those established under the American Society of Addiction Medicine patient placement criteria, (2) prior authorization mandate, or (3) lifetime restriction limit mandate.

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

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

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

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

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

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

(Source: P.A. 101-209, eff. 8-5-19; 101-580, eff. 1-1-20; 102-43, Article 30, Section 30-5, eff. 7-6-21; 102-43, Article 35, Section 35-5, eff. 7-6-21; 102-43, Article 55, Section 55-5, eff. 7-6-21; 102-95, eff. 1-1-22; 102-123, eff. 1-1-22; 102-558, eff. 8-20-21; 102-598, eff. 1-1-22; 102-655, eff. 1-1-22; 102-665, eff.

10-8-21; revised 11-18-21.)".

Under the rules, the foregoing **Senate Bill No. 3682**, 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 bills of the following titles, to-wit:

SENATE BILL NO. 3172
A bill for AN ACT concerning State government.

SENATE BILL NO. 3465
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 3474
A bill for AN ACT concerning education.

SENATE BILL NO. 4014
A bill for AN ACT concerning regulation.

SENATE BILL NO. 4016
A bill for AN ACT concerning regulation.

SENATE BILL NO. 4017
A bill for AN ACT concerning regulation.

SENATE BILL NO. 4018
A bill for AN ACT concerning regulation.

SENATE BILL NO. 4025
A bill for AN ACT concerning State government.

SENATE BILL NO. 4056
A bill for AN ACT concerning education.

Passed the House, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 3609
A bill for AN ACT concerning transportation.

SENATE BILL NO. 3633
A bill for AN ACT concerning local government.

SENATE BILL NO. 3645
A bill for AN ACT concerning State government.

SENATE BILL NO. 3777
A bill for AN ACT concerning finance.

SENATE BILL NO. 3819
A bill for AN ACT concerning regulation.

SENATE BILL NO. 3833
A bill for AN ACT concerning children.

SENATE BILL NO. 3838
A bill for AN ACT concerning health.

SENATE BILL NO. 3845
A bill for AN ACT concerning education.

SENATE BILL NO. 3867
A bill for AN ACT concerning education.

SENATE BILL NO. 4053
A bill for AN ACT concerning public employee benefits.

Passed the House, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 3895
A bill for AN ACT concerning revenue.

SENATE BILL NO. 3902
A bill for AN ACT concerning education.

SENATE BILL NO. 3905
A bill for AN ACT concerning local government.

SENATE BILL NO. 3907
A bill for AN ACT concerning education.

SENATE BILL NO. 3914
A bill for AN ACT concerning education.

SENATE BILL NO. 3915
A bill for AN ACT concerning education.

SENATE BILL NO. 3932
A bill for AN ACT concerning local government.

SENATE BILL NO. 3938
A bill for AN ACT concerning State government.

SENATE BILL NO. 3939
A bill for AN ACT concerning cybersecurity.

SENATE BILL NO. 3954
A bill for AN ACT concerning public employee benefits.

Passed the House, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 3957
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 3971
A bill for AN ACT concerning regulation.

SENATE BILL NO. 3972
A bill for AN ACT concerning education.

SENATE BILL NO. 3986
A bill for AN ACT concerning education.

SENATE BILL NO. 3988
A bill for AN ACT concerning education.

SENATE BILL NO. 3990
A bill for AN ACT concerning education.

SENATE BILL NO. 3991
A bill for AN ACT concerning State government.

SENATE BILL NO. 4000
A bill for AN ACT concerning public employee benefits.

SENATE BILL NO. 4001
A bill for AN ACT concerning State government.

SENATE BILL NO. 4013
A bill for AN ACT concerning regulation.

Passed the House, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by
Mr. Hollman, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 1449

A bill for AN ACT concerning regulation.
Passed the House, April 1, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 1449** was taken up, ordered printed and placed on first reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1449, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 933
Offered by Senator Collins and all Senators:
Mourns the death of Leslie Carter Jackson of Chicago.

SENATE RESOLUTION NO. 935
Offered by Senator Anderson and all Senators:
Mourns the passing of Francis M. "Brink" Brinkmeyer of Rock Island.

SENATE RESOLUTION NO. 937
Offered by Senator Gillespie and all Senators:
Mourns the death of Jason S. Georgacakis of Mount Prospect.

SENATE RESOLUTION NO. 938
Offered by Senator D. Turner and all Senators:
Mourns the death of Albertus G. "Bert" Barber of Springfield.

SENATE RESOLUTION NO. 940
Offered by Senator Harmon and all Senators:
Mourns the death of Greg White.

SENATE RESOLUTION NO. 941
Offered by Senator Harmon and all Senators:
Mourns the death of Nellie X. Yeisley.

SENATE RESOLUTION NO. 942
Offered by Senator Harmon and all Senators:
Mourns the death of Don Offermann.

SENATE RESOLUTION NO. 944
Offered by Senator D. Turner and all Senators:
Mourns the death of Ke'Mareon Rice of Decatur.

SENATE RESOLUTION NO. 946
Offered by Senator Simmons and all Senators:
Mourns the death of Elise Malary.

SENATE RESOLUTION NO. 948

Offered by Senator Anderson and all Senators:
Mourns the passing of Jack S. Kester of Rock Island.

SENATE RESOLUTION NO. 950

Offered by Senator McClure and all Senators:
Mourns the death of David Alan Hickox of South Jacksonville.

SENATE RESOLUTION NO. 951

Offered by Senator McClure and all Senators:
Mourns the passing of Bette R. Jackson of Woodson.

SENATE RESOLUTION NO. 952

Offered by Senator McClure and all Senators:
Mourns the passing of Gerald Edward "Jerry" Osborne, Ph.D. of Grafton.

SENATE RESOLUTION NO. 953

Offered by Senator Gillespie and all Senators:
Mourns the death of Col. Jerry Noel Hoblit.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

At the hour of 4:50 o'clock p.m., the Chair announced that the Senate stands adjourned until Monday, April 4, 2022, at 3:00 o'clock p.m.