



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**ONE HUNDRED SECOND GENERAL  
ASSEMBLY**

**107TH LEGISLATIVE DAY**

**WEDNESDAY, APRIL 6, 2022**

**11:19 O'CLOCK A.M.**

**SENATE**  
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**107th Legislative Day**

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The Senate met pursuant to adjournment.

Senator Linda Holmes, Aurora, Illinois, presiding.

Prayer by Chaplain Carla Matrisch, Director of Women's Ministries, Civil Servant Ministries, Chatham, Illinois.

Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 5, 2022, be postponed, pending arrival of the printed Journal.

The motion prevailed.

### **LEGISLATIVE MEASURES FILED**

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

Amendment No. 3 to House Bill 1091

Amendment No. 2 to House Bill 3772

Amendment No. 1 to House Bill 4667

Amendment No. 2 to House Bill 5012

### **JOINT ACTION MOTION FILED**

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

Motion to Concur in House Amendment No. 1 to Senate Bill 1099

### **PRESENTATION OF RESOLUTION**

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

#### **SENATE RESOLUTION NO. 960**

WHEREAS, The Illinois Association of Free & Charitable Clinics improves access to quality health care for 100,000 low-income individuals who are uninsured or underinsured by strengthening free and charitable clinics, fostering partnerships, educating the public, and advocating for health policy; and

WHEREAS, According to the U.S. Census Bureau, in 2021, the number of Illinois residents with health insurance declined, and health care for 800,000 residents in Illinois is imminently needed; and

WHEREAS, Free and charitable clinics have a mission to serve the uninsured and underinsured by providing a range of health care services, including medical, dental, pharmaceutical, and mental and behavioral health; and

WHEREAS, Free and charitable clinics provide community health resources that include COVID tests and vaccines as well as health education and services on a wide range of topics, including diabetes hypertension, diet, exercise, home health, and medicine administration; and

WHEREAS, The Illinois Association of Free & Charitable Clinics operates over 52 free and charitable clinics across Illinois that are located in both rural and urban areas of the State, providing visits to approximately 40,000 patients annually; and

[April 6, 2022]

WHEREAS, Doctors, nurses, and other health care professionals have provided more than 580,000 thousand volunteer hours of medical care, administered over 15,000 COVID-19 vaccines, cared for over 42,000 patients in the clinics, and reached over 60,000 in community outreach and engagement; and

WHEREAS, Free and charitable clinics in Illinois are truly an invaluable resource for Illinois residents who are without insurance or are underinsured and provide access to life-saving medical care that would otherwise be unavailable or more costly; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare August of 2022 as "Free and Charitable Clinic Month" in the State of Illinois in order to create community awareness of the mission and availability of free and charitable clinics across the State so that residents who are without insurance or are underinsured can receive access to vital medical care; and be it further

RESOLVED, That we express our gratitude and admiration for the important work the many free and charitable clinics, volunteer doctors, nurses, and other health care professionals do for our great citizens throughout the State of Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Illinois Association of Free & Charitable Clinics as a symbol of our respect and esteem.

### **REPORT FROM STANDING COMMITTEE**

Senator Hastings, Chair of the Committee on Energy and Public Utilities, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment No. 2 to Senate Bill 2940; Motion to Concur in House Amendment No. 1 to Senate Bill 3005; Motion to Concur in House Amendment No. 2 to Senate Bill 3005; Motion to Concur in House Amendment No. 2 to Senate Bill 3613

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

### **MESSAGES FROM THE HOUSE**

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has 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. 1095

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1100

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1103

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 1321

A bill for AN ACT concerning health.

HOUSE BILL NO. 1568

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1571

A bill for AN ACT concerning State government.

Passed the House, April 6, 2022.

JOHN W. HOLLMAN, Clerk of the House

[April 6, 2022]

The foregoing **House Bills Numbered 1095, 1100, 1103, 1321, 1568 and 1571** 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. 180

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. 180

Passed the House, as amended, April 5, 2022.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 180**

AMENDMENT NO. 1. Amend Senate Bill 180 as follows:

on page 1, line 16, by deleting "either"; and

on page 1, by replacing lines 19 and 20 with the following: "meetings, hearings, floor proceedings, and press conferences at the Capitol Complex."

Under the rules, the foregoing **Senate Bill No. 180**, 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. 3416

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. 1 to SENATE BILL NO. 3416

Passed the House, as amended, April 5, 2022.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3416**

AMENDMENT NO. 1. Amend Senate Bill 3416 by replacing everything after the enacting clause with the following:

"Section 5. The One Day Rest In Seven Act is amended by changing Section 2 as follows:

(820 ILCS 140/2) (from Ch. 48, par. 8b)

Sec. 2. Hours and days of rest in every calendar week.

(a) Every employer shall allow every employee except those specified in this Section at least twenty-four consecutive hours of rest in every calendar week in addition to the regular period of rest allowed at the close of each working day.

A person employed as a domestic worker, as defined in Section 10 of the Domestic Workers' Bill of Rights Act, shall be allowed at least 24 consecutive hours of rest in every calendar week. This subsection (a) does not prohibit a domestic worker from voluntarily agreeing to work on such day of rest required by this subsection (a) if the worker is compensated at the overtime rate for all hours worked on such day of rest. The day of rest authorized under this subsection (a) should, whenever possible, coincide with the traditional day reserved by the domestic worker for religious worship.

(b) Subsection (a) does not apply to the following:

(1) Part-time employees whose total work hours for one employer during a calendar week do not exceed 20; and

[April 6, 2022]

(2) Employees needed in case of breakdown of machinery or equipment or other emergency requiring the immediate services of experienced and competent labor to prevent injury to person, damage to property, or suspension of necessary operation; and

(3) Employees employed in agriculture or coal mining; and

(4) Employees engaged in the occupation of canning and processing perishable agricultural products, if such employees are employed by an employer in such occupation on a seasonal basis and for not more than 20 weeks during any calendar year or 12 month period; and

(5) Employees employed as watchmen or security guards; and

(6) Employees who are employed in a bonafide executive, administrative, or professional capacity or in the capacity of an outside salesman, as defined in Section 12 (a) (1) of the federal Fair Labor Standards Act, as amended, and those employed as supervisors as defined in Section 2 (11) of the National Labor Relations Act, as amended; and

(7) Employees who are employed as crew members of any uninspected towing vessel, as defined by Section 2101(40) of Title 46 of the United States Code, operating in any navigable waters in or along the boundaries of the State of Illinois; and-

(8) Employees for whom work hours, days of work, and rest periods are established through the collective bargaining process.

(Source: P.A. 99-758, eff. 1-1-17.)".

Under the rules, the foregoing **Senate Bill No. 3416**, 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. 3685

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. 3685

Passed the House, as amended, April 5, 2022.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 1 TO SENATE BILL 3685**

AMENDMENT NO. 1. Amend Senate Bill 3685 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Section 9 as follows:

(35 ILCS 105/9) (from Ch. 120, par. 439.9)

Sec. 9. Except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, each retailer required or authorized to collect the tax imposed by this Act shall pay to the Department the amount of such tax (except as otherwise provided) at the time when he is required to file his return for the period during which such tax was collected, less a discount of 2.1% prior to January 1, 1990, and 1.75% on and after January 1, 1990, or \$5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for expenses incurred in collecting the tax, keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final. A retailer need not remit that part of any tax collected by him to the extent that he is required to remit and does remit the tax imposed by the Retailers' Occupation Tax Act, with respect to the sale of the same property.

Where such tangible personal property is sold under a conditional sales contract, or under any other form of sale wherein the payment of the principal sum, or a part thereof, is extended beyond the close of the period for which the return is filed, the retailer, in collecting the tax (except as to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State), may collect for each tax return period, only the tax applicable to that part of the selling price actually received during such tax return period.

Except as provided in this Section, on or before the twentieth day of each calendar month, such retailer shall file a return for the preceding calendar month. Such return shall be filed on forms prescribed by the Department and shall furnish such information as the Department may reasonably require. On and after January 1, 2018, except for returns required to be filed prior to January 1, 2023 for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, with respect to retailers whose annual gross receipts average \$20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. On and after January 1, 2023, with respect to retailers whose annual gross receipts average \$20,000 or more, all returns required to be filed pursuant to this Act, including, but not limited to, returns for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, shall be filed electronically. Retailers who demonstrate that they do not have access to the Internet or demonstrate hardship in filing electronically may petition the Department to waive the electronic filing requirement.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due;
- 5-5. The signature of the taxpayer; and
6. Such other reasonable information as the Department may require.

Each retailer required or authorized to collect the tax imposed by this Act on aviation fuel sold at retail in this State during the preceding calendar month shall, instead of reporting and paying tax on aviation fuel as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, retailers collecting tax on aviation fuel shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Notwithstanding any other provision of this Act to the contrary, retailers subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of \$100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of \$50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of \$200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" means the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws



administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Service Use Tax Act was \$10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act was \$20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985, and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987, and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$10,000 threshold stated above, then such taxpayer may petition the Department for change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4

preceding complete calendar quarter period is less than \$20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

If any such payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown by an original monthly return, the Department shall issue to the taxpayer a credit memorandum no later than 30 days after the date of payment, which memorandum may be submitted by the taxpayer to the Department in payment of tax liability subsequently to be remitted by the taxpayer to the Department or be assigned by the taxpayer to a similar taxpayer under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department, except that if such excess payment is shown on an original monthly return and is made after December 31, 1986, no credit memorandum shall be issued, unless requested by the taxpayer. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted by the taxpayer to the Department under this Act, the Retailers' Occupation Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% or 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and the taxpayer shall be liable for penalties and interest on such difference.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed \$200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February, and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability to the Department does not exceed \$50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, except as otherwise provided in this Section, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 3-55 of this Act, then that seller may report the transfer of all the aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section,

"watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every person who is engaged in the business of leasing or renting such items and who, in connection with such business, sells any such item to a retailer for the purpose of resale is, notwithstanding any other provision of this Section to the contrary, authorized to meet the return-filing requirement of this Act by reporting the transfer of all the aircraft, watercraft, motor vehicles, or trailers transferred for resale during a month to the Department on the same uniform invoice-transaction reporting return form on or before the 20th of the month following the month in which the transfer takes place. Notwithstanding any other provision of this Act to the contrary, all returns filed under this paragraph must be filed by electronic means in the manner and form as required by the Department.

The transaction reporting return in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft and aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 2 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the date of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the tax that is imposed by this Act may be transmitted to the Department by way of the State agency with which, or State officer with whom, the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer, and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the

transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Where a retailer collects the tax with respect to the selling price of tangible personal property which he sells and the purchaser thereafter returns such tangible personal property and the retailer refunds the selling price thereof to the purchaser, such retailer shall also refund, to the purchaser, the tax so collected from the purchaser. When filing his return for the period in which he refunds such tax to the purchaser, the retailer may deduct the amount of the tax so refunded by him to the purchaser from any other use tax which such retailer may be required to pay or remit to the Department, as shown by such return, if the amount of the tax to be deducted was previously remitted to the Department by such retailer. If the retailer has not previously remitted the amount of such tax to the Department, he is entitled to no deduction under this Act upon refunding such tax to the purchaser.

Any retailer filing a return under this Section shall also include (for the purpose of paying tax thereon) the total tax covered by such return upon the selling price of tangible personal property purchased by him at retail from a retailer, but as to which the tax imposed by this Act was not collected from the retailer filing such return, and such retailer shall remit the amount of such tax to the Department when filing such return.

If experience indicates such action to be practicable, the Department may prescribe and furnish a combination or joint return which will enable retailers, who are required to file returns hereunder and also under the Retailers' Occupation Tax Act, to furnish all the return information required by both Acts on the one form.

Where the retailer has more than one business registered with the Department under separate registration under this Act, such retailer may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund 4% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning January 1, 1990, each month the Department shall pay into the State and Local Sales Tax Reform Fund, a special fund in the State Treasury, 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property, other than (i) tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government and (ii) aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuels Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasohol. Beginning September 1, 2010, each month the Department shall pay into the State and Local Sales Tax Reform Fund 100% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property which is purchased outside Illinois at retail from a retailer and which is titled or registered by an agency of this State's government.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act Permit Fund under this Act and the Retailers' Occupation Tax Act shall not exceed \$2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act shall not exceed \$18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under this Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, each month the Department shall deposit \$500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to Section 3 of the Retailers' Occupation Tax Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as defined in Section 3 of the Retailers' Occupation Tax Act), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred during such month to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year; and, further provided, that the amounts payable into the Build Illinois Fund under this clause (b) shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of the moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the preceding sentence and shall reduce the amount otherwise payable for such fiscal year pursuant to clause (b) of the

preceding sentence. The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of the sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000
2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036	450,000,000
and	

each fiscal year  
thereafter that bonds  
are outstanding under  
Section 13.2 of the  
Metropolitan Pier and  
Exposition Authority Act,  
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Clean Air Act Permit Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax

Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim, and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year.....	Total Deposit
2024.....	\$200,000,000
2025.....	\$206,000,000
2026.....	\$212,200,000
2027.....	\$218,500,000
2028.....	\$225,100,000
2029.....	\$288,700,000
2030.....	\$298,900,000
2031.....	\$309,300,000
2032.....	\$320,100,000
2033.....	\$331,200,000
2034.....	\$341,200,000
2035.....	\$351,400,000
2036.....	\$361,900,000
2037.....	\$372,800,000
2038.....	\$384,000,000
2039.....	\$395,500,000
2040.....	\$407,400,000
2041.....	\$419,600,000
2042.....	\$432,200,000
2043.....	\$445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2025, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2025, subject to the payment of amounts into the State and Local Sales Tax Reform Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. As used in this paragraph "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Act, and "gasohol" has the meaning given to that term in Section 3-40 of this Act.



Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement. (Source: P.A. 100-303, eff. 8-24-17; 100-363, eff. 7-1-18; 100-863, eff. 8-14-18; 100-1171, eff. 1-4-19; 101-10, Article 15, Section 15-10, eff. 6-5-19; 101-10, Article 25, Section 25-105, eff. 6-5-19; 101-27, eff. 6-25-19; 101-32, eff. 6-28-19; 101-604, eff. 12-13-19; 101-636, eff. 6-10-20.)

Section 10. The Retailers' Occupation Tax Act is amended by changing Section 3 as follows:  
(35 ILCS 120/3) (from Ch. 120, par. 442)

Sec. 3. Except as provided in this Section, on or before the twentieth day of each calendar month, every person engaged in the business of selling tangible personal property at retail in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the seller;
2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of selling tangible personal property at retail in this State;
3. Total amount of receipts received by him during the preceding calendar month or quarter, as the case may be, from sales of tangible personal property, and from services furnished, by him during such preceding calendar month or quarter;
4. Total amount received by him during the preceding calendar month or quarter on charge and time sales of tangible personal property, and from services furnished, by him prior to the month or quarter for which the return is filed;
5. Deductions allowed by law;
6. Gross receipts which were received by him during the preceding calendar month or quarter and upon the basis of which the tax is imposed;
7. The amount of credit provided in Section 2d of this Act;
8. The amount of tax due;
9. The signature of the taxpayer; and
10. Such other reasonable information as the Department may require.

On and after January 1, 2018, except for returns required to be filed prior to January 1, 2023 for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, with respect to retailers whose annual gross receipts average \$20,000 or more, all returns required to be filed pursuant to this Act shall be filed electronically. On and after January 1, 2023, with respect to retailers whose annual gross receipts average \$20,000 or more, all returns required to be filed pursuant to this Act, including, but not limited to, returns for motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, shall be filed electronically. Retailers who demonstrate that they do not have access to the Internet or demonstrate hardship in filing electronically may petition the Department to waive the electronic filing requirement.

If a taxpayer fails to sign a return within 30 days after the proper notice and demand for signature by the Department, the return shall be considered valid and any amount shown to be due on the return shall be deemed assessed.

Each return shall be accompanied by the statement of prepaid tax issued pursuant to Section 2e for which credit is claimed.

Prior to October 1, 2003, and on and after September 1, 2004 a retailer may accept a Manufacturer's Purchase Credit certification from a purchaser in satisfaction of Use Tax as provided in Section 3-85 of the Use Tax Act if the purchaser provides the appropriate documentation as required by Section 3-85 of the Use Tax Act. A Manufacturer's Purchase Credit certification, accepted by a retailer prior to October 1, 2003 and on and after September 1, 2004 as provided in Section 3-85 of the Use Tax Act, may be used by that retailer to satisfy Retailers' Occupation Tax liability in the amount claimed in the certification, not to exceed 6.25% of the receipts subject to tax from a qualifying purchase. A Manufacturer's Purchase Credit reported on any original or amended return filed under this Act after October 20, 2003 for reporting periods prior to September 1, 2004 shall be disallowed. Manufacturer's Purchase ~~Purchaser~~ Credit reported on annual returns due on or after January 1, 2005 will be disallowed for periods prior to September 1, 2004. No Manufacturer's Purchase Credit may be used after September 30, 2003 through August 31, 2004 to satisfy any tax liability imposed under this Act, including any audit liability.

The Department may require returns to be filed on a quarterly basis. If so required, a return for each calendar quarter shall be filed on or before the twentieth day of the calendar month following the end of such calendar quarter. The taxpayer shall also file a return with the Department for each of the first two months of each calendar quarter, on or before the twentieth day of the following calendar month, stating:

1. The name of the seller;
2. The address of the principal place of business from which he engages in the business of selling tangible personal property at retail in this State;
3. The total amount of taxable receipts received by him during the preceding calendar month from sales of tangible personal property by him during such preceding calendar month, including receipts from charge and time sales, but less all deductions allowed by law;
4. The amount of credit provided in Section 2d of this Act;
5. The amount of tax due; and
6. Such other reasonable information as the Department may require.

Every person engaged in the business of selling aviation fuel at retail in this State during the preceding calendar month shall, instead of reporting and paying tax as otherwise required by this Section, report and pay such tax on a separate aviation fuel tax return. The requirements related to the return shall be as otherwise provided in this Section. Notwithstanding any other provisions of this Act to the contrary, retailers selling aviation fuel shall file all aviation fuel tax returns and shall make all aviation fuel tax payments by electronic means in the manner and form required by the Department. For purposes of this Section, "aviation fuel" means jet fuel and aviation gasoline.

Beginning on October 1, 2003, any person who is not a licensed distributor, importing distributor, or manufacturer, as defined in the Liquor Control Act of 1934, but is engaged in the business of selling, at retail, alcoholic liquor shall file a statement with the Department of Revenue, in a format and at a time prescribed by the Department, showing the total amount paid for alcoholic liquor purchased during the preceding month and such other information as is reasonably required by the Department. The Department may adopt rules to require that this statement be filed in an electronic or telephonic format. Such rules may provide for exceptions from the filing requirements of this paragraph. For the purposes of this paragraph, the term "alcoholic liquor" shall have the meaning prescribed in the Liquor Control Act of 1934.

Beginning on October 1, 2003, every distributor, importing distributor, and manufacturer of alcoholic liquor as defined in the Liquor Control Act of 1934, shall file a statement with the Department of Revenue, no later than the 10th day of the month for the preceding month during which transactions occurred, by electronic means, showing the total amount of gross receipts from the sale of alcoholic liquor sold or distributed during the preceding month to purchasers; identifying the purchaser to whom it was sold or distributed; the purchaser's tax registration number; and such other information reasonably required by the Department. A distributor, importing distributor, or manufacturer of alcoholic liquor must personally deliver, mail, or provide by electronic means to each retailer listed on the monthly statement a report containing a cumulative total of that distributor's, importing distributor's, or manufacturer's total sales of alcoholic liquor to that retailer no later than the 10th day of the month for the preceding month during which the transaction occurred. The distributor, importing distributor, or manufacturer shall notify the retailer as to the method by which the distributor, importing distributor, or manufacturer will provide the sales information. If the retailer is unable to receive the sales information by electronic means, the distributor, importing distributor, or manufacturer shall furnish the sales information by personal delivery or by mail. For purposes of this paragraph, the term "electronic means" includes, but is not limited to, the use of a secure Internet website, e-mail, or facsimile.

If a total amount of less than \$1 is payable, refundable or creditable, such amount shall be disregarded if it is less than 50 cents and shall be increased to \$1 if it is 50 cents or more.

Notwithstanding any other provision of this Act to the contrary, retailers subject to tax on cannabis shall file all cannabis tax returns and shall make all cannabis tax payments by electronic means in the manner and form required by the Department.

Beginning October 1, 1993, a taxpayer who has an average monthly tax liability of \$150,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1994, a taxpayer who has an average monthly tax liability of \$100,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 1995, a taxpayer who has an average monthly tax liability of \$50,000 or more shall make all payments required by rules of the Department by electronic funds transfer. Beginning October 1, 2000, a taxpayer who has an annual tax liability of \$200,000 or more shall make all payments required by rules of the Department by electronic funds transfer. The term "annual tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year. The term "average monthly tax liability" shall be the sum of the taxpayer's liabilities under this Act, and under all other State and local occupation and use tax laws administered by the Department, for the immediately preceding calendar year divided by 12. Beginning on October 1, 2002, a taxpayer who has a tax liability in the amount set forth in subsection (b) of Section 2505-210 of the Department of Revenue Law shall make all payments required by rules of the Department by electronic funds transfer.

Before August 1 of each year beginning in 1993, the Department shall notify all taxpayers required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer shall make those payments for a minimum of one year beginning on October 1.

Any taxpayer not required to make payments by electronic funds transfer may make payments by electronic funds transfer with the permission of the Department.

All taxpayers required to make payment by electronic funds transfer and any taxpayers authorized to voluntarily make payments by electronic funds transfer shall make those payments in the manner authorized by the Department.

The Department shall adopt such rules as are necessary to effectuate a program of electronic funds transfer and the requirements of this Section.

Any amount which is required to be shown or reported on any return or other document under this Act shall, if such amount is not a whole-dollar amount, be increased to the nearest whole-dollar amount in any case where the fractional part of a dollar is 50 cents or more, and decreased to the nearest whole-dollar amount where the fractional part of a dollar is less than 50 cents.

If the retailer is otherwise required to file a monthly return and if the retailer's average monthly tax liability to the Department does not exceed \$200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 20 of such year; with the return for April, May and June of a given year being due by July 20 of such year; with the return for July, August and September of a given year being due by October 20 of such year, and with the return for October, November and December of a given year being due by January 20 of the following year.

If the retailer is otherwise required to file a monthly or quarterly return and if the retailer's average monthly tax liability with the Department does not exceed \$50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 20 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which a retailer may file his return, in the case of any retailer who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such retailer shall file a final return under this Act with the Department not more than one month after discontinuing such business.

Where the same person has more than one business registered with the Department under separate registrations under this Act, such person may not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, except as otherwise provided in this Section, every retailer selling this kind of tangible personal property shall file, with the Department, upon a form to be prescribed and

supplied by the Department, a separate return for each such item of tangible personal property which the retailer sells, except that if, in the same transaction, (i) a retailer of aircraft, watercraft, motor vehicles or trailers transfers more than one aircraft, watercraft, motor vehicle or trailer to another aircraft, watercraft, motor vehicle retailer or trailer retailer for the purpose of resale or (ii) a retailer of aircraft, watercraft, motor vehicles, or trailers transfers more than one aircraft, watercraft, motor vehicle, or trailer to a purchaser for use as a qualifying rolling stock as provided in Section 2-5 of this Act, then that seller may report the transfer of all aircraft, watercraft, motor vehicles or trailers involved in that transaction to the Department on the same uniform invoice-transaction reporting return form. For purposes of this Section, "watercraft" means a Class 2, Class 3, or Class 4 watercraft as defined in Section 3-2 of the Boat Registration and Safety Act, a personal watercraft, or any boat equipped with an inboard motor.

In addition, with respect to motor vehicles, watercraft, aircraft, and trailers that are required to be registered with an agency of this State, every person who is engaged in the business of leasing or renting such items and who, in connection with such business, sells any such item to a retailer for the purpose of resale is, notwithstanding any other provision of this Section to the contrary, authorized to meet the return-filing requirement of this Act by reporting the transfer of all the aircraft, watercraft, motor vehicles, or trailers transferred for resale during a month to the Department on the same uniform invoice-transaction reporting return form on or before the 20th of the month following the month in which the transfer takes place. Notwithstanding any other provision of this Act to the contrary, all returns filed under this paragraph must be filed by electronic means in the manner and form as required by the Department.

Any retailer who sells only motor vehicles, watercraft, aircraft, or trailers that are required to be registered with an agency of this State, so that all retailers' occupation tax liability is required to be reported, and is reported, on such transaction reporting returns and who is not otherwise required to file monthly or quarterly returns, need not file monthly or quarterly returns. However, those retailers shall be required to file returns on an annual basis.

The transaction reporting return, in the case of motor vehicles or trailers that are required to be registered with an agency of this State, shall be the same document as the Uniform Invoice referred to in Section 5-402 of the Illinois Vehicle Code and must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale; a sufficient identification of the property sold; such other information as is required in Section 5-402 of the Illinois Vehicle Code, and such other information as the Department may reasonably require.

The transaction reporting return in the case of watercraft or aircraft must show the name and address of the seller; the name and address of the purchaser; the amount of the selling price including the amount allowed by the retailer for traded-in property, if any; the amount allowed by the retailer for the traded-in tangible personal property, if any, to the extent to which Section 1 of this Act allows an exemption for the value of traded-in property; the balance payable after deducting such trade-in allowance from the total selling price; the amount of tax due from the retailer with respect to such transaction; the amount of tax collected from the purchaser by the retailer on such transaction (or satisfactory evidence that such tax is not due in that particular instance, if that is claimed to be the fact); the place and date of the sale, a sufficient identification of the property sold, and such other information as the Department may reasonably require.

Such transaction reporting return shall be filed not later than 20 days after the day of delivery of the item that is being sold, but may be filed by the retailer at any time sooner than that if he chooses to do so. The transaction reporting return and tax remittance or proof of exemption from the Illinois use tax may be transmitted to the Department by way of the State agency with which, or State officer with whom the tangible personal property must be titled or registered (if titling or registration is required) if the Department and such agency or State officer determine that this procedure will expedite the processing of applications for title or registration.

With each such transaction reporting return, the retailer shall remit the proper amount of tax due (or shall submit satisfactory evidence that the sale is not taxable if that is the case), to the Department or its agents, whereupon the Department shall issue, in the purchaser's name, a use tax receipt (or a certificate of exemption if the Department is satisfied that the particular sale is tax exempt) which such purchaser may

submit to the agency with which, or State officer with whom, he must title or register the tangible personal property that is involved (if titling or registration is required) in support of such purchaser's application for an Illinois certificate or other evidence of title or registration to such tangible personal property.

No retailer's failure or refusal to remit tax under this Act precludes a user, who has paid the proper tax to the retailer, from obtaining his certificate of title or other evidence of title or registration (if titling or registration is required) upon satisfying the Department that such user has paid the proper tax (if tax is due) to the retailer. The Department shall adopt appropriate rules to carry out the mandate of this paragraph.

If the user who would otherwise pay tax to the retailer wants the transaction reporting return filed and the payment of the tax or proof of exemption made to the Department before the retailer is willing to take these actions and such user has not paid the tax to the retailer, such user may certify to the fact of such delay by the retailer and may (upon the Department being satisfied of the truth of such certification) transmit the information required by the transaction reporting return and the remittance for tax or proof of exemption directly to the Department and obtain his tax receipt or exemption determination, in which event the transaction reporting return and tax remittance (if a tax payment was required) shall be credited by the Department to the proper retailer's account with the Department, but without the 2.1% or 1.75% discount provided for in this Section being allowed. When the user pays the tax directly to the Department, he shall pay the tax in the same amount and in the same form in which it would be remitted if the tax had been remitted to the Department by the retailer.

Refunds made by the seller during the preceding return period to purchasers, on account of tangible personal property returned to the seller, shall be allowed as a deduction under subdivision 5 of his monthly or quarterly return, as the case may be, in case the seller had theretofore included the receipts from the sale of such tangible personal property in a return filed by him and had paid the tax imposed by this Act with respect to such receipts.

Where the seller is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

Where the seller is a limited liability company, the return filed on behalf of the limited liability company shall be signed by a manager, member, or properly accredited agent of the limited liability company.

Except as provided in this Section, the retailer filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% prior to January 1, 1990 and 1.75% on and after January 1, 1990, or \$5 per calendar year, whichever is greater, which is allowed to reimburse the retailer for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request. On and after January 1, 2021, a certified service provider, as defined in the Leveling the Playing Field for Illinois Retail Act, filing the return under this Section on behalf of a remote retailer shall, at the time of such return, pay to the Department the amount of tax imposed by this Act less a discount of 1.75%. A remote retailer using a certified service provider to file a return on its behalf, as provided in the Leveling the Playing Field for Illinois Retail Act, is not eligible for the discount. The discount under this Section is not allowed for the 1.25% portion of taxes paid on aviation fuel that is subject to the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133. Any prepayment made pursuant to Section 2d of this Act shall be included in the amount on which such 2.1% or 1.75% discount is computed. In the case of retailers who report and pay the tax on a transaction by transaction basis, as provided in this Section, such discount shall be taken with each such tax remittance instead of when such retailer files his periodic return. The discount allowed under this Section is allowed only for returns that are filed in the manner required by this Act. The Department may disallow the discount for retailers whose certificate of registration is revoked at the time the return is filed, but only if the Department's decision to revoke the certificate of registration has become final.

Before October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was \$10,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. On and after October 1, 2000, if the taxpayer's average monthly tax liability to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act, and the Service Use Tax Act, excluding any liability for prepaid sales tax to be remitted in accordance with Section 2d of this Act, was

\$20,000 or more during the preceding 4 complete calendar quarters, he shall file a return with the Department each month by the 20th day of the month next following the month during which such tax liability is incurred and shall make payment to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to January 1, 1985, each payment shall be in an amount equal to 1/4 of the taxpayer's actual liability for the month or an amount set by the Department not to exceed 1/4 of the average monthly liability of the taxpayer to the Department for the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability in such 4 quarter period). If the month during which such tax liability is incurred begins on or after January 1, 1985 and prior to January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1987 and prior to January 1, 1988, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1988, and prior to January 1, 1989, or begins on or after January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. If the month during which such tax liability is incurred begins on or after January 1, 1989, and prior to January 1, 1996, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year or 100% of the taxpayer's actual liability for the quarter monthly reporting period. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month. Before October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of \$10,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$9,000, or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$10,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$10,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. On and after October 1, 2000, once applicable, the requirement of the making of quarter monthly payments to the Department by taxpayers having an average monthly tax liability of \$20,000 or more as determined in the manner provided above shall continue until such taxpayer's average monthly liability to the Department during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarter period is less than \$20,000. However, if a taxpayer can show the Department that a substantial change in the taxpayer's business has occurred which causes the taxpayer to anticipate that his average monthly tax liability for the reasonably foreseeable future will fall below the \$20,000 threshold stated above, then such taxpayer may petition the Department for a change in such taxpayer's reporting status. The Department shall change such taxpayer's reporting status unless it finds that such change is seasonal in nature and not likely to be long term. If any such quarter monthly payment is not paid at the time or in the amount required by this Section, then the taxpayer shall be liable for penalties and interest on the difference between the minimum amount due as a payment and the amount of such quarter monthly payment actually and timely paid, except insofar as the taxpayer has previously made payments for that month to the Department in excess of the minimum payments previously due as provided in this Section. The Department shall make reasonable rules and regulations to govern the quarter monthly payment amount and quarter monthly payment dates for taxpayers who file on other than a calendar monthly basis.

The provisions of this paragraph apply before October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes which average in excess of \$25,000 per month during the preceding 2 complete calendar quarters, shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which such liability is incurred. If the month during which such tax liability is incurred began prior to September 1, 1985 (the effective date of Public Act 84-221), each

payment shall be in an amount not less than 22.5% of the taxpayer's actual liability under Section 2d. If the month during which such tax liability is incurred begins on or after January 1, 1986, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 27.5% of the taxpayer's liability for the same calendar month of the preceding calendar year. If the month during which such tax liability is incurred begins on or after January 1, 1987, each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 26.25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of such quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until such taxpayer's average monthly prepaid tax collections during the preceding 2 complete calendar quarters is \$25,000 or less. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

The provisions of this paragraph apply on and after October 1, 2001. Without regard to whether a taxpayer is required to make quarter monthly payments as specified above, any taxpayer who is required by Section 2d of this Act to collect and remit prepaid taxes and has collected prepaid taxes that average in excess of \$20,000 per month during the preceding 4 complete calendar quarters shall file a return with the Department as required by Section 2f and shall make payments to the Department on or before the 7th, 15th, 22nd and last day of the month during which the liability is incurred. Each payment shall be in an amount equal to 22.5% of the taxpayer's actual liability for the month or 25% of the taxpayer's liability for the same calendar month of the preceding year. The amount of the quarter monthly payments shall be credited against the final tax liability of the taxpayer's return for that month filed under this Section or Section 2f, as the case may be. Once applicable, the requirement of the making of quarter monthly payments to the Department pursuant to this paragraph shall continue until the taxpayer's average monthly prepaid tax collections during the preceding 4 complete calendar quarters (excluding the month of highest liability and the month of lowest liability) is less than \$19,000 or until such taxpayer's average monthly liability to the Department as computed for each calendar quarter of the 4 preceding complete calendar quarters is less than \$20,000. If any such quarter monthly payment is not paid at the time or in the amount required, the taxpayer shall be liable for penalties and interest on such difference, except insofar as the taxpayer has previously made payments for that month in excess of the minimum payments previously due.

If any payment provided for in this Section exceeds the taxpayer's liabilities under this Act, the Use Tax Act, the Service Occupation Tax Act and the Service Use Tax Act, as shown on an original monthly return, the Department shall, if requested by the taxpayer, issue to the taxpayer a credit memorandum no later than 30 days after the date of payment. The credit evidenced by such credit memorandum may be assigned by the taxpayer to a similar taxpayer under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations to be prescribed by the Department. If no such request is made, the taxpayer may credit such excess payment against tax liability subsequently to be remitted to the Department under this Act, the Use Tax Act, the Service Occupation Tax Act or the Service Use Tax Act, in accordance with reasonable rules and regulations prescribed by the Department. If the Department subsequently determined that all or any part of the credit taken was not actually due to the taxpayer, the taxpayer's 2.1% and 1.75% vendor's discount shall be reduced by 2.1% or 1.75% of the difference between the credit taken and that actually due, and that taxpayer shall be liable for penalties and interest on such difference.

If a retailer of motor fuel is entitled to a credit under Section 2d of this Act which exceeds the taxpayer's liability to the Department under this Act for the month for which the taxpayer is filing a return, the Department shall issue the taxpayer a credit memorandum for the excess.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund, a special fund in the State treasury which is hereby created, the net revenue realized for the preceding month from the 1% tax imposed under this Act.

Beginning January 1, 1990, each month the Department shall pay into the County and Mass Transit District Fund, a special fund in the State treasury which is hereby created, 4% of the net revenue realized for the preceding month from the 6.25% general rate other than aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasoline. Beginning September 1, 2010, each month the Department shall pay into the County and Mass Transit District Fund 20% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning January 1, 1990, each month the Department shall pay into the Local Government Tax Fund 16% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property other than aviation fuel sold on or after December 1, 2019. This exception for aviation fuel only applies for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

For aviation fuel sold on or after December 1, 2019, each month the Department shall pay into the State Aviation Program Fund 20% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of aviation fuel, less an amount estimated by the Department to be required for refunds of the 20% portion of the tax on aviation fuel under this Act, which amount shall be deposited into the Aviation Fuel Sales Tax Refund Fund. The Department shall only pay moneys into the State Aviation Program Fund and the Aviation Fuel Sales Tax Refund Fund under this Act for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

Beginning August 1, 2000, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of motor fuel and gasoline. Beginning September 1, 2010, each month the Department shall pay into the Local Government Tax Fund 80% of the net revenue realized for the preceding month from the 1.25% rate on the selling price of sales tax holiday items.

Beginning October 1, 2009, each month the Department shall pay into the Capital Projects Fund an amount that is equal to an amount estimated by the Department to represent 80% of the net revenue realized for the preceding month from the sale of candy, grooming and hygiene products, and soft drinks that had been taxed at a rate of 1% prior to September 1, 2009 but that are now taxed at 6.25%.

Beginning July 1, 2011, each month the Department shall pay into the Clean Air Act Permit Fund 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of sorbents used in Illinois in the process of sorbent injection as used to comply with the Environmental Protection Act or the federal Clean Air Act, but the total payment into the Clean Air Act Permit Fund under this Act and the Use Tax Act shall not exceed \$2,000,000 in any fiscal year.

Beginning July 1, 2013, each month the Department shall pay into the Underground Storage Tank Fund from the proceeds collected under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act an amount equal to the average monthly deficit in the Underground Storage Tank Fund during the prior year, as certified annually by the Illinois Environmental Protection Agency, but the total payment into the Underground Storage Tank Fund under this Act, the Use Tax Act, the Service Use Tax Act, and the Service Occupation Tax Act shall not exceed \$18,000,000 in any State fiscal year. As used in this paragraph, the "average monthly deficit" shall be equal to the difference between the average monthly claims for payment by the fund and the average monthly revenues deposited into the fund, excluding payments made pursuant to this paragraph.

Beginning July 1, 2015, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, each month the Department shall deposit \$500,000 into the State Crime Laboratory Fund.

Of the remainder of the moneys received by the Department pursuant to this Act, (a) 1.75% thereof shall be paid into the Build Illinois Fund and (b) prior to July 1, 1989, 2.2% and on and after July 1, 1989, 3.8% thereof shall be paid into the Build Illinois Fund; provided, however, that if in any fiscal year the sum of (1) the aggregate of 2.2% or 3.8%, as the case may be, of the moneys received by the Department and required to be paid into the Build Illinois Fund pursuant to this Act, Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, and Section 9 of the Service Occupation Tax Act, such Acts being hereinafter called the "Tax Acts" and such aggregate of 2.2% or 3.8%, as the case may be, of moneys being hereinafter called the "Tax Act Amount", and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall be less than the Annual Specified Amount (as hereinafter defined), an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; the "Annual Specified Amount" means the amounts specified below for fiscal years 1986 through 1993:

Fiscal Year

Annual Specified Amount



1986	\$54,800,000
1987	\$76,650,000
1988	\$80,480,000
1989	\$88,510,000
1990	\$115,330,000
1991	\$145,470,000
1992	\$182,730,000
1993	\$206,520,000;

and means the Certified Annual Debt Service Requirement (as defined in Section 13 of the Build Illinois Bond Act) or the Tax Act Amount, whichever is greater, for fiscal year 1994 and each fiscal year thereafter; and further provided, that if on the last business day of any month the sum of (1) the Tax Act Amount required to be deposited into the Build Illinois Bond Account in the Build Illinois Fund during such month and (2) the amount transferred to the Build Illinois Fund from the State and Local Sales Tax Reform Fund shall have been less than 1/12 of the Annual Specified Amount, an amount equal to the difference shall be immediately paid into the Build Illinois Fund from other moneys received by the Department pursuant to the Tax Acts; and, further provided, that in no event shall the payments required under the preceding proviso result in aggregate payments into the Build Illinois Fund pursuant to this clause (b) for any fiscal year in excess of the greater of (i) the Tax Act Amount or (ii) the Annual Specified Amount for such fiscal year. The amounts payable into the Build Illinois Fund under clause (b) of the first sentence in this paragraph shall be payable only until such time as the aggregate amount on deposit under each trust indenture securing Bonds issued and outstanding pursuant to the Build Illinois Bond Act is sufficient, taking into account any future investment income, to fully provide, in accordance with such indenture, for the defeasance of or the payment of the principal of, premium, if any, and interest on the Bonds secured by such indenture and on any Bonds expected to be issued thereafter and all fees and costs payable with respect thereto, all as certified by the Director of the Bureau of the Budget (now Governor's Office of Management and Budget). If on the last business day of any month in which Bonds are outstanding pursuant to the Build Illinois Bond Act, the aggregate of moneys deposited in the Build Illinois Bond Account in the Build Illinois Fund in such month shall be less than the amount required to be transferred in such month from the Build Illinois Bond Account to the Build Illinois Bond Retirement and Interest Fund pursuant to Section 13 of the Build Illinois Bond Act, an amount equal to such deficiency shall be immediately paid from other moneys received by the Department pursuant to the Tax Acts to the Build Illinois Fund; provided, however, that any amounts paid to the Build Illinois Fund in any fiscal year pursuant to this sentence shall be deemed to constitute payments pursuant to clause (b) of the first sentence of this paragraph and shall reduce the amount otherwise payable for such fiscal year pursuant to that clause (b). The moneys received by the Department pursuant to this Act and required to be deposited into the Build Illinois Fund are subject to the pledge, claim and charge set forth in Section 12 of the Build Illinois Bond Act.

Subject to payment of amounts into the Build Illinois Fund as provided in the preceding paragraph or in any amendment thereto hereafter enacted, the following specified monthly installment of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority provided under Section 8.25f of the State Finance Act, but not in excess of sums designated as "Total Deposit", shall be deposited in the aggregate from collections under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act into the McCormick Place Expansion Project Fund in the specified fiscal years.

Fiscal Year	Total Deposit
1993	\$0
1994	53,000,000
1995	58,000,000
1996	61,000,000
1997	64,000,000
1998	68,000,000
1999	71,000,000
2000	75,000,000
2001	80,000,000
2002	93,000,000
2003	99,000,000
2004	103,000,000

2005	108,000,000
2006	113,000,000
2007	119,000,000
2008	126,000,000
2009	132,000,000
2010	139,000,000
2011	146,000,000
2012	153,000,000
2013	161,000,000
2014	170,000,000
2015	179,000,000
2016	189,000,000
2017	199,000,000
2018	210,000,000
2019	221,000,000
2020	233,000,000
2021	300,000,000
2022	300,000,000
2023	300,000,000
2024	300,000,000
2025	300,000,000
2026	300,000,000
2027	375,000,000
2028	375,000,000
2029	375,000,000
2030	375,000,000
2031	375,000,000
2032	375,000,000
2033	375,000,000
2034	375,000,000
2035	375,000,000
2036	450,000,000
and	

each fiscal year  
thereafter that bonds  
are outstanding under  
Section 13.2 of the  
Metropolitan Pier and  
Exposition Authority Act,  
but not after fiscal year 2060.

Beginning July 20, 1993 and in each month of each fiscal year thereafter, one-eighth of the amount requested in the certificate of the Chairman of the Metropolitan Pier and Exposition Authority for that fiscal year, less the amount deposited into the McCormick Place Expansion Project Fund by the State Treasurer in the respective month under subsection (g) of Section 13 of the Metropolitan Pier and Exposition Authority Act, plus cumulative deficiencies in the deposits required under this Section for previous months and years, shall be deposited into the McCormick Place Expansion Project Fund, until the full amount requested for the fiscal year, but not in excess of the amount specified above as "Total Deposit", has been deposited.

Subject to payment of amounts into the Capital Projects Fund, the Clean Air Act Permit Fund, the Build Illinois Fund, and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, for aviation fuel sold on or after December 1, 2019, the Department shall each month deposit into the Aviation Fuel Sales Tax Refund Fund an amount estimated by the Department to be required for refunds of the 80% portion of the tax on aviation fuel under this Act. The Department shall only deposit moneys into the Aviation Fuel Sales Tax Refund Fund under this paragraph for so long as the revenue use requirements of 49 U.S.C. 47107(b) and 49 U.S.C. 47133 are binding on the State.

[April 6, 2022]

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning July 1, 1993 and ending on September 30, 2013, the Department shall each month pay into the Illinois Tax Increment Fund 0.27% of 80% of the net revenue realized for the preceding month from the 6.25% general rate on the selling price of tangible personal property.

Subject to payment of amounts into the Build Illinois Fund and the McCormick Place Expansion Project Fund pursuant to the preceding paragraphs or in any amendments thereto hereafter enacted, beginning with the receipt of the first report of taxes paid by an eligible business and continuing for a 25-year period, the Department shall each month pay into the Energy Infrastructure Fund 80% of the net revenue realized from the 6.25% general rate on the selling price of Illinois-mined coal that was sold to an eligible business. For purposes of this paragraph, the term "eligible business" means a new electric generating facility certified pursuant to Section 605-332 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois.

Subject to payment of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, and the Energy Infrastructure Fund pursuant to the preceding paragraphs or in any amendments to this Section hereafter enacted, beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month, from the collections made under Section 9 of the Use Tax Act, Section 9 of the Service Use Tax Act, Section 9 of the Service Occupation Tax Act, and Section 3 of the Retailers' Occupation Tax Act, the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department of Revenue, an amount equal to 1/12 of 5% of 80% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, the Retailers' Occupation Tax Act, and associated local occupation and use taxes administered by the Department.

Subject to payments of amounts into the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, beginning on July 1, 2018 the Department shall pay each month into the Downstate Public Transportation Fund the moneys required to be so paid under Section 2-3 of the Downstate Public Transportation Act.

Subject to successful execution and delivery of a public-private agreement between the public agency and private entity and completion of the civic build, beginning on July 1, 2023, of the remainder of the moneys received by the Department under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and this Act, the Department shall deposit the following specified deposits in the aggregate from collections under the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act, as required under Section 8.25g of the State Finance Act for distribution consistent with the Public-Private Partnership for Civic and Transit Infrastructure Project Act. The moneys received by the Department pursuant to this Act and required to be deposited into the Civic and Transit Infrastructure Fund are subject to the pledge, claim and charge set forth in Section 25-55 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act. As used in this paragraph, "civic build", "private entity", "public-private agreement", and "public agency" have the meanings provided in Section 25-10 of the Public-Private Partnership for Civic and Transit Infrastructure Project Act.

Fiscal Year.....	Total Deposit
2024.....	\$200,000,000
2025.....	\$206,000,000
2026.....	\$212,200,000
2027.....	\$218,500,000
2028.....	\$225,100,000
2029.....	\$288,700,000
2030.....	\$298,900,000
2031.....	\$309,300,000
2032.....	\$320,100,000
2033.....	\$331,200,000
2034.....	\$341,200,000
2035.....	\$351,400,000
2036.....	\$361,900,000
2037.....	\$372,800,000

2038.....	\$384,000,000
2039.....	\$395,500,000
2040.....	\$407,400,000
2041.....	\$419,600,000
2042.....	\$432,200,000
2043.....	\$445,100,000

Beginning July 1, 2021 and until July 1, 2022, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 16% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2022 and until July 1, 2023, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 32% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2023 and until July 1, 2024, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 48% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning July 1, 2024 and until July 1, 2025, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 64% of the net revenue realized from the taxes imposed on motor fuel and gasohol. Beginning on July 1, 2025, subject to the payment of amounts into the County and Mass Transit District Fund, the Local Government Tax Fund, the Build Illinois Fund, the McCormick Place Expansion Project Fund, the Illinois Tax Increment Fund, the Energy Infrastructure Fund, and the Tax Compliance and Administration Fund as provided in this Section, the Department shall pay each month into the Road Fund the amount estimated to represent 80% of the net revenue realized from the taxes imposed on motor fuel and gasohol. As used in this paragraph "motor fuel" has the meaning given to that term in Section 1.1 of the Motor Fuel Tax Act, and "gasohol" has the meaning given to that term in Section 3-40 of the Use Tax Act.

Of the remainder of the moneys received by the Department pursuant to this Act, 75% thereof shall be paid into the State Treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the retailer's last Federal income tax return. If the total receipts of the business as reported in the Federal income tax return do not agree with the gross receipts reported to the Department of Revenue for the same period, the retailer shall attach to his annual return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The retailer's annual return to the Department shall also disclose the cost of goods sold by the retailer during the year covered by such return, opening and closing inventories of such goods for such year, costs of goods used from stock or taken from stock and given away by the retailer during such year, payroll information of the retailer's business during such year and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual returns filed by such retailer as provided for in this Section.

If the annual information return required by this Section is not filed when and as required, the taxpayer shall be liable as follows:

- (i) Until January 1, 1994, the taxpayer shall be liable for a penalty equal to 1/6 of 1% of the tax due from such taxpayer under this Act during the period to be covered by the annual return for each

month or fraction of a month until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

(ii) On and after January 1, 1994, the taxpayer shall be liable for a penalty as described in Section 3-4 of the Uniform Penalty and Interest Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The provisions of this Section concerning the filing of an annual information return do not apply to a retailer who is not required to file an income tax return with the United States Government.

As soon as possible after the first day of each month, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Motor Fuel Tax Fund an amount equal to 1.7% of 80% of the net revenue realized under this Act for the second preceding month. Beginning April 1, 2000, this transfer is no longer required and shall not be made.

Net revenue realized for a month shall be the revenue collected by the State pursuant to this Act, less the amount paid out during that month as refunds to taxpayers for overpayment of liability.

For greater simplicity of administration, manufacturers, importers and wholesalers whose products are sold at retail in Illinois by numerous retailers, and who wish to do so, may assume the responsibility for accounting and paying to the Department all tax accruing under this Act with respect to such sales, if the retailers who are affected do not make written objection to the Department to this arrangement.

Any person who promotes, organizes, provides retail selling space for concessionaires or other types of sellers at the Illinois State Fair, DuQuoin State Fair, county fairs, local fairs, art shows, flea markets and similar exhibitions or events, including any transient merchant as defined by Section 2 of the Transient Merchant Act of 1987, is required to file a report with the Department providing the name of the merchant's business, the name of the person or persons engaged in merchant's business, the permanent address and Illinois Retailers Occupation Tax Registration Number of the merchant, the dates and location of the event and other reasonable information that the Department may require. The report must be filed not later than the 20th day of the month next following the month during which the event with retail sales was held. Any person who fails to file a report required by this Section commits a business offense and is subject to a fine not to exceed \$250.

Any person engaged in the business of selling tangible personal property at retail as a concessionaire or other type of seller at the Illinois State Fair, county fairs, art shows, flea markets and similar exhibitions or events, or any transient merchants, as defined by Section 2 of the Transient Merchant Act of 1987, may be required to make a daily report of the amount of such sales to the Department and to make a daily payment of the full amount of tax due. The Department shall impose this requirement when it finds that there is a significant risk of loss of revenue to the State at such an exhibition or event. Such a finding shall be based on evidence that a substantial number of concessionaires or other sellers who are not residents of Illinois will be engaging in the business of selling tangible personal property at retail at the exhibition or event, or other evidence of a significant risk of loss of revenue to the State. The Department shall notify concessionaires and other sellers affected by the imposition of this requirement. In the absence of notification by the Department, the concessionaires and other sellers shall file their returns as otherwise required in this Section.

(Source: P.A. 101-10, Article 15, Section 15-25, eff. 6-5-19; 101-10, Article 25, Section 25-120, eff. 6-5-19; 101-27, eff. 6-25-19; 101-32, eff. 6-28-19; 101-604, eff. 12-13-19; 101-636, eff. 6-10-20; 102-634, eff. 8-27-21; revised 12-7-21.)

Section 15. The Property Tax Code is amended by changing Sections 4-10 and 17-20 as follows:  
(35 ILCS 200/4-10)

Sec. 4-10. Compensation for Certified Illinois Assessing Officers. Subject to the requirements for continued training, any supervisor of assessments, assessor, deputy assessor or member of a board of review in any county who has earned a Certified Illinois Assessing Officers Certificate from the Illinois Property Assessment Institute shall receive from the State, out of funds appropriated to the Department from the Personal Property Tax Replacement Fund, additional compensation of \$500 per year.

To receive a Certified Illinois Assessing Officer certificate, a person shall complete successfully and pass examinations on a basic course in assessment practice approved by the Department and conducted by the Institute and additional courses totaling not less than 60 class hours that are designated and approved by the Department, on the cost, market and income approaches to value, mass appraisal techniques, and property tax administration.

To continue to be eligible for the additional compensation, a Certified Illinois Assessing Officer must complete successfully a minimum of 15 class hours requiring a written examination, and the equivalent of one seminar course of 15 class hours which does not require a written examination, in each year for which additional compensation is sought after receipt of the certificate. The Department shall designate and approve courses acceptable for additional training, including courses in business and computer techniques, and class hours applicable to each course. The Department shall specify procedures for certifying the completion of the additional training.

The courses and training shall be conducted annually in a manner and format deemed appropriate by the Department at various convenient locations throughout the State. At least one course shall be conducted annually in each county with more than 400,000 inhabitants.

(Source: P.A. 97-72, eff. 7-1-11.)

(35 ILCS 200/17-20)

Sec. 17-20. Hearing on tentative equalization factor. The Department shall, after publishing its tentative equalization factor and giving notice of hearing to the public in a newspaper of general circulation in the county, hold a hearing on its estimate not less than 10 days nor more than 30 days from the date of the publication. The notice shall state the provided hearing platform and accessibility instructions, date, and time of the hearing, ~~which shall be held in either Chicago or Springfield,~~ the basis for the estimate of the Department, and further information as the Department may prescribe. The Department shall, after giving a hearing to all interested parties and opportunity for submitting testimony and evidence in support of or adverse to the estimate as the Department considers requisite, either confirm or revise the estimate so as to correctly represent the considered judgment of the Department respecting the estimated percentage to be added to or deducted from the aggregate assessment of all locally assessed property in the county except property assessed under Sections 10-110 through 10-140 or 10-170 through 10-200. Within 30 days after the conclusion of the hearing the Department shall mail to the County Clerk, by certified mail, its determination with respect to such estimated percentage to be added to or deducted from the aggregate assessment.

(Source: P.A. 91-555, eff. 1-1-00.)

Section 20. The Motor Fuel Tax Law is amended by changing Sections 6 and 6a as follows:

(35 ILCS 505/6) (from Ch. 120, par. 422)

Sec. 6. Collection of tax; distributors. A distributor who sells or distributes any motor fuel, which he is required by Section 5 to report to the Department when filing a return, shall (except as hereinafter provided) collect at the time of such sale and distribution, the amount of tax imposed under this Act on all such motor fuel sold and distributed, and at the time of making a return, the distributor shall pay to the Department the amount so collected less a discount of 2% through June 30, 2003 and 1.75% thereafter which is allowed to reimburse the distributor for the expenses incurred in keeping records, preparing and filing returns, collecting and remitting the tax and supplying data to the Department on request, and shall also pay to the Department an amount equal to the amount that would be collectible as a tax in the event of a sale thereof on all such motor fuel used by said distributor during the period covered by the return. However, no payment shall be made based upon dyed diesel fuel used by the distributor for non-highway purposes. The discount shall only be applicable to the amount of tax payment which accompanies a return which is filed timely in accordance with Section 5 of this Act. In each subsequent sale of motor fuel on which the amount of tax imposed under this Act has been collected as provided in this Section, the amount so collected shall be added to the selling price, so that the amount of tax is paid ultimately by the user of the motor fuel. However, no collection or payment shall be made in the case of the sale or use of any motor fuel to the extent to which such sale or use of motor fuel may not, under the constitution and statutes of the United States, be made the subject of taxation by this State. A person whose license to act as a distributor of fuel has been revoked shall, at the time of making a return, also pay to the Department an amount equal to the amount that would be collectible as a tax in the event of a sale thereof on all motor fuel, which he is required by the second paragraph of Section 5 to report to the Department in making a return, and which he had on hand on the date on which the license was revoked, and with respect to which no tax had been previously paid under this Act.

A distributor may make tax free sales of motor fuel, with respect to which he is otherwise required to collect the tax, only as specified in the following items 1 through 7.

1. When the sale is made to a person holding a valid unrevoked license as a distributor, by making a specific notation thereof on invoices or sales slip covering each sale.

2. When the sale is made with delivery to a purchaser outside of this State.

3. When the sale is made to the Federal Government or its instrumentalities.

4. When the sale is made to a municipal corporation owning and operating a local transportation system for public service in this State when an official certificate of exemption is obtained in lieu of the tax.

5. When the sale is made to a privately owned public utility owning and operating 2 axle vehicles designed and used for transporting more than 7 passengers, which vehicles are used as common carriers in general transportation of passengers, are not devoted to any specialized purpose and are operated entirely within the territorial limits of a single municipality or of any group of contiguous municipalities, or in a close radius thereof, and the operations of which are subject to the regulations of the Illinois Commerce Commission, when an official certificate of exemption is obtained in lieu of the tax.

6. When a sale of special fuel is made to a person holding a valid, unrevoked license as a supplier, by making a specific notation thereof on the invoice or sales slip covering each such sale.

7. When a sale of dyed diesel fuel is made by the licensed distributor to the end user of the fuel who is not someone other than a licensed distributor or a licensed supplier for non-highway purposes and the fuel is (i) delivered from a vehicle designed for the specific purpose of such sales and delivered directly into a stationary bulk storage tank that displays the notice required by Section 4f of this Act, (ii) delivered from a vehicle designed for the specific purpose of such sales and delivered directly into the fuel supply tanks of non-highway vehicles that are not required to be registered for highway use, or (iii) dispensed from a dyed diesel fuel dispensing facility that has withdrawal facilities that are not readily accessible to and are not capable of dispensing dyed diesel fuel into the fuel supply tank of a motor vehicle.

A specific notation is required on the invoice or sales slip covering such sales, and any supporting documentation that may be required by the Department must be obtained by the distributor. The distributor shall obtain and keep the supporting documentation in such form as the Department may require by rule.

For purposes of this item 7, a dyed diesel fuel dispensing facility is considered to have withdrawal facilities that are "not readily accessible to and not capable of dispensing dyed diesel fuel into the fuel supply tank of a motor vehicle" only if the dyed diesel fuel is delivered from: (i) a dispenser hose that is short enough so that it will not reach the fuel supply tank of a motor vehicle or (ii) a dispenser that is enclosed by a fence or other physical barrier so that a vehicle cannot pull alongside the dispenser to permit fueling.

8. (Blank).

All special fuel sold or used for non-highway purposes must have a dye added in accordance with Section 4d of this Law.

All suits or other proceedings brought for the purpose of recovering any taxes, interest or penalties due the State of Illinois under this Act may be maintained in the name of the Department.

(Source: P.A. 96-1384, eff. 7-29-10.)

(35 ILCS 505/6a) (from Ch. 120, par. 422a)

Sec. 6a. Collection of tax; suppliers. A supplier, other than a licensed distributor, who sells or distributes any special fuel, which he is required by Section 5a to report to the Department when filing a return, shall (except as hereinafter provided) collect at the time of such sale and distribution, the amount of tax imposed under this Act on all such special fuel sold and distributed, and at the time of making a return, the supplier shall pay to the Department the amount so collected less a discount of 2% through June 30, 2003 and 1.75% thereafter which is allowed to reimburse the supplier for the expenses incurred in keeping records, preparing and filing returns, collecting and remitting the tax and supplying data to the Department on request, and shall also pay to the Department an amount equal to the amount that would be collectible as a tax in the event of a sale thereof on all such special fuel used by said supplier during the period covered by the return. However, no payment shall be made based upon dyed diesel fuel used by said supplier for non-highway purposes. The discount shall only be applicable to the amount of tax payment which accompanies a return which is filed timely in accordance with Section 5(a) of this Act. In each subsequent

sale of special fuel on which the amount of tax imposed under this Act has been collected as provided in this Section, the amount so collected shall be added to the selling price, so that the amount of tax is paid ultimately by the user of the special fuel. However, no collection or payment shall be made in the case of the sale or use of any special fuel to the extent to which such sale or use of motor fuel may not, under the Constitution and statutes of the United States, be made the subject of taxation by this State.

A person whose license to act as supplier of special fuel has been revoked shall, at the time of making a return, also pay to the Department an amount equal to the amount that would be collectible as a tax in the event of a sale thereof on all special fuel, which he is required by the 1st paragraph of Section 5a to report to the Department in making a return.

A supplier may make tax-free sales of special fuel, with respect to which he is otherwise required to collect the tax, only as specified in the following items 1 through 7.

1. When the sale is made to the federal government or its instrumentalities.

2. When the sale is made to a municipal corporation owning and operating a local transportation system for public service in this State when an official certificate of exemption is obtained in lieu of the tax.

3. When the sale is made to a privately owned public utility owning and operating 2 axle vehicles designed and used for transporting more than 7 passengers, which vehicles are used as common carriers in general transportation of passengers, are not devoted to any specialized purpose and are operated entirely within the territorial limits of a single municipality or of any group of contiguous municipalities, or in a close radius thereof, and the operations of which are subject to the regulations of the Illinois Commerce Commission, when an official certificate of exemption is obtained in lieu of the tax.

4. When a sale is made to a person holding a valid unrevoked license as a supplier or a distributor by making a specific notation thereof on invoice or sales slip covering each such sale.

5. When a sale of dyed diesel fuel is made by the licensed supplier to the end user of the fuel who is not someone other than a licensed distributor or licensed supplier for non-highway purposes and the fuel is (i) delivered from a vehicle designed for the specific purpose of such sales and delivered directly into a stationary bulk storage tank that displays the notice required by Section 4f of this Act, (ii) delivered from a vehicle designed for the specific purpose of such sales and delivered directly into the fuel supply tanks of non-highway vehicles that are not required to be registered for highway use, or (iii) dispensed from a dyed diesel fuel dispensing facility that has withdrawal facilities that are not readily accessible to and are not capable of dispensing dyed diesel fuel into the fuel supply tank of a motor vehicle.

A specific notation is required on the invoice or sales slip covering such sales, and any supporting documentation that may be required by the Department must be obtained by the supplier. The supplier shall obtain and keep the supporting documentation in such form as the Department may require by rule.

For purposes of this item 5, a dyed diesel fuel dispensing facility is considered to have withdrawal facilities that are "not readily accessible to and not capable of dispensing dyed diesel fuel into the fuel supply tank of a motor vehicle" only if the dyed diesel fuel is delivered from: (i) a dispenser hose that is short enough so that it will not reach the fuel supply tank of a motor vehicle or (ii) a dispenser that is enclosed by a fence or other physical barrier so that a vehicle cannot pull alongside the dispenser to permit fueling.

6. (Blank).

7. When a sale of special fuel is made to a person where delivery is made outside of this State.

All special fuel sold or used for non-highway purposes must have a dye added in accordance with Section 4d of this Law.

All suits or other proceedings brought for the purpose of recovering any taxes, interest or penalties due the State of Illinois under this Act may be maintained in the name of the Department.

(Source: P.A. 96-1384, eff. 7-29-10.)

Section 99. Effective date. This Act takes effect January 1, 2023, except that Section 20 and this Section take effect upon becoming law."



Under the rules, the foregoing **Senate Bill No. 3685**, 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. 3482

A bill for AN ACT concerning State government.

SENATE BILL NO. 3893

A bill for AN ACT concerning education.

Passed the House, April 5, 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. 3096

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3832

A bill for AN ACT concerning revenue.

Passed the House, April 6, 2022.

JOHN W. HOLLMAN, Clerk of the House

#### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

**House Bill No. 1095**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1100**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1103**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1321**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1568**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 1571**, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

#### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Villa, **House Bill No. 1567** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **House Bill No. 4332** having been printed, was taken up, read by title a second time and ordered to a third reading.

[April 6, 2022]

On motion of Senator Collins, **House Bill No. 4392** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **House Bill No. 5193** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 4116** 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 4116**

AMENDMENT NO. 1. Amend House Bill 4116 on page 7, line 15, after "center", by inserting "or manufacturing facility".

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

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Fine, **House Bill No. 1592** 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	Feigenholtz	Loughran Cappel	Stadelman
Bailey	Fowler	Martwick	Stewart
Belt	Gillespie	McConchie	Turner, D.
Bennett	Glowiak Hilton	Morrison	Turner, S.
Bryant	Harris	Muñoz	Van Pelt
Bush	Hastings	Murphy	Villa
Castro	Holmes	Pacione-Zayas	Villanueva
Collins	Hunter	Pappas	Wilcox
Connor	Johnson	Peters	Mr. President
Crowe	Joyce	Plummer	
Cunningham	Koehler	Rose	
DeWitte	Landek	Simmons	
Ellman	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.

Senator Fine asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **House Bill No. 1592**.

On motion of Senator Barickman, **House Bill No. 4270** 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.

[April 6, 2022]

The following voted in the affirmative:

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

On motion of Senator Crowe, **House Bill No. 4219** 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:

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

On motion of Senator Joyce, **House Bill No. 4386** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

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

#### HOUSE BILL RECALLED

On motion of Senator Johnson, **House Bill No. 4452** was recalled from the order of third reading to the order of second reading.

Senator Johnson offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO HOUSE BILL 4452

AMENDMENT NO. 1. Amend House Bill 4452 on page 3, by replacing lines 10 and 11 with the following:

"Section 99. Effective date. This Act takes effect July 1, 2022."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

#### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Johnson, **House Bill No. 4452** 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; NAY 1.

The following voted in the affirmative:

Aquino	Feigenholtz	Lightford	Simmons
Barickman	Fine	Loughran Cappel	Sims
Belt	Fowler	Martwick	Stadelman
Bennett	Gillespie	McClure	Stewart

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Bryant	Glowiak Hilton	McConchie	Tracy
Bush	Harris	Morrison	Turner, D.
Castro	Hastings	Muñoz	Turner, S.
Collins	Holmes	Murphy	Van Pelt
Connor	Hunter	Pacione-Zayas	Villa
Crowe	Johnson	Pappas	Villanueva
Cunningham	Joyce	Peters	Wilcox
DeWitte	Koehler	Plummer	Mr. President
Ellman	Landek	Rezin	

The following voted in the negative:

Rose

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

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

On motion of Senator McConchie, **House Bill No. 4593** 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:

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

On motion of Senator Wilcox, **House Bill No. 4682** 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:

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

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

On motion of Senator Rose, **House Bill No. 4688** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Barickman	Fine	Martwick	Stadelman
Belt	Fowler	McClure	Stewart
Bennett	Gillespie	McConchie	Tracy
Bryant	Glowiak Hilton	Morrison	Turner, D.
Bush	Harris	Muñoz	Turner, S.
Castro	Hastings	Murphy	Van Pelt
Collins	Holmes	Pacione-Zayas	Villa
Connor	Hunter	Pappas	Villanueva
Crowe	Johnson	Peters	Wilcox
Cunningham	Joyce	Plummer	Mr. President
Curran	Koehler	Rezin	
DeWitte	Landek	Rose	
Ellman	Lightford	Simmons	
Feigenholtz	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 Amendment adopted thereto.

On motion of Senator Belt, **House Bill No. 4696** 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:

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

On motion of Senator Joyce, **House Bill No. 4766** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Rose

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

Ordered that the Secretary inform the House of Representatives thereof.

**HOUSE BILL RECALLED**

On motion of Senator Bennett, **House Bill No. 4769** was recalled from the order of third reading to the order of second reading.

Senator Bennett offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 4769**

AMENDMENT NO. 3 . Amend House Bill 4769, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 5, line 3, after "nurse," by inserting "speech-language pathologist, audiologist,"; and

on page 7, immediately below line 20, by inserting the following:

"(e) No licensed behavior analyst or licensed assistant behavior analyst shall engage in the practice of speech-language pathology or the practice of audiology, as defined in the Illinois Speech-Language Pathology and Audiology Practice Act, unless licensed to do so under that Act."

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 Bennett, **House Bill No. 4769** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 53; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Rose

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

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

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Senator Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 4769**.

On motion of Senator McConchie, **House Bill No. 4772** 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:

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

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

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

On motion of Senator Connor, **House Bill No. 4979** 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:

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

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

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

### HOUSE BILL RECALLED

On motion of Senator D. Turner, **House Bill No. 5015** was recalled from the order of third reading to the order of second reading.

Senator D. Turner offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO HOUSE BILL 5015

AMENDMENT NO. 2. Amend House Bill 5015 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois America 250 Commission Act.

Section 5. Findings. The General Assembly finds that:

(a) Illinois became the 21st state on December 3, 1818, 42 years after the formation of the United States of America and after thousands of years of Indigenous communities and peoples inhabiting the land.

(b) Illinois figured prominently in the expansion of the United States of America as the scene of extensive French and British exploration and early economic generation with the fur trade, serving as a frontier boundary for Westward expansion, and as a place of forced removal of Indigenous nations.

(c) The historic and contemporary systems of inequality produced through the enslavement of African American people in Illinois must be acknowledged. Though the 1848 State Constitution declared slavery to be illegal, the practice of enslaving African Americans continued in Illinois, as did participation in kidnapping and enslaving African Americans to benefit Illinois' economy. Even following the abolition of slavery, the 1908 Race Riot in Springfield led to the slaughter of free African Americans and destroyed their communities within the Illinois State capital city.

(d) Illinois was a key state in the American Civil War, deploying over 250,000 soldiers to fight in the war. Illinois served as the home of Abraham Lincoln, the 16th President of the United States of America. Illinois was the first State to ratify the 13th Amendment, which abolished slavery.

(e) Millions of people have emigrated from and immigrated to Illinois, or sought refuge in our State, bringing with them their culture, lifeways, knowledge, and labor, which has shaped Illinois into one of the nation's most diverse states. With its largest city in Illinois, and the 3rd largest in the nation, founded by a Black man, John Baptiste Point du Sable, more than 110,000 African Americans came to Illinois as a part of the Great Migration from the South through the advocacy of Robert Abbott's Chicago Defender distributed by the Pullman Porters. Illinois has proudly been made home by immigrants and their descendants from Ireland, Italy, China, Poland, Eastern Europe, Mexico, Puerto Rico, Japan, Central and South America, Russia, Somalia, Eritrea, and across the continents of Africa and Asia, the Caribbean, Vietnam, Thailand, India, and many other parts of the world.

(f) Illinois is responsible for numerous social and economic improvements that shaped the infrastructure and social fabric of our nation, including, but not limited to, the creation of the Illinois and Michigan Canal opening navigation and trade between the Mississippi River and the Great Lakes; Jane Addams' innovative social work at the Hull House; Ida B. Wells' courageous journalism and commitment to abolition; inventions like the John Deere steel plow and modern barbed wire by Joseph Glidden that reshaped agriculture; the opening of Route 66, the Mother Road, originating in Chicago; the first McDonald's, a restaurant that would change how Americans eat; and the first cellular telephone, which changed communication forever.

(g) In 2008, the nation elected its first African American president, President Barack Obama, who built his career as a community organizer, law professor, and elected official in Illinois.

(h) The 250th anniversary of our nation's founding presents an opportunity for Illinoisans and Americans to consider this legacy and reflect on a diversity of perspectives and experiences that are often left untold.

(i) The nation's Semiquincentennial offers a commemoration that focuses on all people who call Illinois home, in every part of the State and of all ages and backgrounds, and centers our shared humanity in this process, as well as our common purpose. It offers every person in Illinois the opportunity to see themselves within this complex history and create a more just future.

Section 10. Creation of Illinois America 250 Commission; definition; purpose. The Illinois America 250 Commission is created. As used in this Act, "Commission" means the Illinois America 250 Commission. The principal purpose of the Commission shall be to plan, promote, and implement appropriate commemoration of the 250th Anniversary of the founding of the United States of America ("Semiquincentennial").

Section 15. Duties.

(a) The Commission shall develop, encourage, and execute an inclusive commemoration and observance of the founding of the United States of America, and Illinois' imperative role in the nation's history.

(b) The Commission shall promote the inclusive and respectful identification, interpretation, documentation, preservation, and recognition of cultural and historical narratives and resources, including traditional cultural knowledge, oral histories, archival materials, objects, buildings, structures, sites, and landscapes related to Illinois history and prehistory.

(c) The Commission shall consider organizing its activities under the 5 historic themes established by the American Association for State and Local History in "The Field Guide for the Semiquincentennial: Making History at 250".

(d) The Commission shall serve as the official representative of the State of Illinois for the Semiquincentennial and all related activities, communications, and events.

(e) The Commission shall encourage various State agencies and organizations to work cooperatively to promote the Semiquincentennial.

Section 20. Authority; administrative support.

(a) The Commission is authorized to cooperate with the United States Semiquincentennial Commission created by Public Law 114-196, other states, tribal nations, and national, State, and local organizations engaged in activities around the United States Semiquincentennial, and other tribal, national, regional, State, and local public and private organizations having compatible purposes.

(b) The Illinois State Museum shall provide administrative support to the Commission and may make expenditures according to the Commission's policies and procedures and State law.

Section 25. Membership; meetings.

(a) Membership of the Commission shall consist of:

(1) Two members appointed by the Governor.

(2) One member appointed by the Lieutenant Governor.

(3) One member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives.

(4) One member appointed by the Senate Minority Leader and one member appointed by the House Minority Leader.

(5) The Illinois representatives serving on the United States Semiquincentennial Commission as certified by the executive officer of the United States Semiquincentennial Commission.

(6) The Director of the Illinois State Museum, who shall serve as the Commission Chair.

(7) The Harold Washington Library Archivist.

(8) A Black historian reflecting the experiences and contributions of American Descendants of Slavery (ADOS).

(9) A historian reflecting the experiences and contributions of Asian and Latina/o/x communities.

(10) The following members appointed by the Illinois America 250 Commission Chair:

(A) Up to 12 representatives of tribal Nations and communities including the Ojibwe, Odawa, Potawatomi, Shawnee, Osage, the Peoria Tribe of Indians of Oklahoma, inclusive of the Peoria, Kaskaskia, Piankashaw, and Wea peoples, the Miami Tribe of Oklahoma, Sauk, Mesquaki, Kickapoo, Ho-Chunk, Menominee, the Chickasaw Nations, and additional tribal members living in Illinois today.

(B) A representative of the Abraham Lincoln Presidential Library and Museum.

(C) Up to 5 representatives from other State of Illinois departments, agencies, or offices to which the Semiquincentennial is relevant to its mission and operations.

(D) A representative of Illinois humanities.

(E) A representative of a veterans' organization such as, but not limited to, the American Legion, the Disabled American Veterans, and Veterans of Foreign Wars of the United States.

(F) A representative of the Daughters of the American Revolution and the Sons of the American Revolution.

(G) Up to 10 members of the general public with related or relevant backgrounds, expertise, or interests, appointed by the Governor. Knowledge in the following shall be prioritized in making an appointment under this item: the culture, traditions, and history of American Indians/Native Americans; Black Americans; Latinos/Latinas/Hispanic Americans; Asian Americans and Pacific Islanders; the LGBTQAI+ community; immigrants and refugees; women's history; the history of Illinois' agriculture, architecture, armed forces, arts, civics, cultural geography, ecology, education, faith-based communities, folklore, government, industry, labor, law, medicine, and transportation; anthropology; archeology; cultural exhibits and museums; heritage tourism; historic preservation; and social justice.

(11) One member representing a statewide organization of municipalities as authorized by Section 1-8-1 of the Illinois Municipal Code.

(b) Of the appointed membership, 60% must be people who represent historically excluded and marginalized communities.

(c) The appointing authorities shall coordinate their appointments to represent and celebrate the diverse makeup and complex cultural geography of this State.

(d) The Commission shall adopt rules for the establishment of a quorum and the conducting of business.

(e) Members shall serve for the duration of the Commission, provided any public official's expiration of a term of office shall create a vacancy. Any vacancy occurring in the membership of the Commission shall be filled in the same manner as the original appointment.

(f) The Commission shall hold meetings at least twice a year:

(1) at times and places to be determined by the Chair; and

(2) that are conducted in accordance with the Open Meetings Act.

(g) Members shall serve without compensation and shall not be reimbursed for expenses incurred in performing their duties.

Section 30. Advisory committees and working groups. The Chair of the Commission, with the concurrence of the Commission, shall create one or more advisory committees and working groups to advise the Commission.

Section 35. Fundraising. The Commission may solicit, accept, use, and dispose of donations, funds, and gifts, in conformance with public ethics laws, to support the purposes and goals of the Commission. No elected public official serving on the Commission shall be involved in soliciting any private funds or gifts for the Commission.

Section 40. Reporting. The Commission shall make an annual written report and make any recommendations to the Governor and General Assembly at least 30 days prior to the convening of each regular session of the General Assembly, commencing with the start of the regular session in 2023 and continuing through its final report.

Section 45. Dissolution; repeal.

(a) The Commission and its advisory committees are dissolved on June 1, 2027.

(b) This Act is repealed on January 1, 2028.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator D. Turner offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 5015**

AMENDMENT NO. 3. Amend House Bill 5015 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois America 250 Commission Act.

Section 5. Findings. The General Assembly finds that:

(a) Illinois became the 21st state on December 3, 1818, 42 years after the formation of the United States of America and after thousands of years of Indigenous communities and peoples inhabiting the land.

(b) Illinois figured prominently in the expansion of the United States of America as the scene of extensive French and British exploration and early economic generation with the fur trade, serving as a frontier boundary for Westward expansion, and as a place of forced removal of Indigenous nations.

(c) The historic and contemporary systems of inequality produced through the enslavement of African American people in Illinois must be acknowledged. Though the 1848 State Constitution declared slavery to be illegal, the practice of enslaving African Americans continued in Illinois, as did participation in kidnapping and enslaving African Americans to benefit Illinois' economy. Even following the abolition of slavery, the 1908 Race Riot in Springfield led to the slaughter of free African Americans and destroyed their communities within the Illinois State capital city.

(d) Illinois was a key state in the American Civil War, deploying over 250,000 soldiers to fight in the war. Illinois served as the home of Abraham Lincoln, the 16th President of the United States of America. Illinois was the first State to ratify the 13th Amendment, which abolished slavery.

(e) Millions of people have emigrated from and immigrated to Illinois, or sought refuge in our State, bringing with them their culture, lifeways, knowledge, and labor, which has shaped Illinois into one of the nation's most diverse states. With its largest city in Illinois, and the 3rd largest in the nation, founded by a Black man, John Baptiste Point du Sable, more than 110,000 African Americans came to Illinois as a part of the Great Migration from the South through the advocacy of Robert Abbott's Chicago Defender distributed by the Pullman Porters. Illinois has proudly been made home by immigrants and their descendants from Ireland, Italy, China, Poland, Eastern Europe, Mexico, Puerto Rico, Japan, Central and South America, Russia, Somalia, Eritrea, and across the continents of Africa and Asia, the Caribbean, Vietnam, Thailand, India, and many other parts of the world.

(f) Illinois is responsible for numerous social and economic improvements that shaped the infrastructure and social fabric of our nation, including, but not limited to, the creation of the Illinois and Michigan Canal opening navigation and trade between the Mississippi River and the Great Lakes; Jane Addams' innovative social work at the Hull House; Ida B. Wells' courageous journalism and commitment to abolition; inventions like the John Deere steel plow and modern barbed wire by Joseph Glidden that reshaped agriculture; the opening of Route 66, the Mother Road, originating in Chicago; the first McDonald's, a restaurant that would change how Americans eat; and the first cellular telephone, which changed communication forever.

(g) In 2008, the nation elected its first African American president, President Barack Obama, who built his career as a community organizer, law professor, and elected official in Illinois.

(h) The 250th anniversary of our nation's founding presents an opportunity for Illinoisans and Americans to consider this legacy and reflect on a diversity of perspectives and experiences that are often left untold.

(i) The nation's Semiquincentennial offers a commemoration that focuses on all people who call Illinois home, in every part of the State and of all ages and backgrounds, and centers our shared humanity in this process, as well as our common purpose. It offers every person in Illinois the opportunity to see themselves within this complex history and create a more just future.

Section 10. Creation of Illinois America 250 Commission; definition; purpose. The Illinois America 250 Commission is created. As used in this Act, "Commission" means the Illinois America 250 Commission. The principal purpose of the Commission shall be to plan, promote, and implement appropriate commemoration of the 250th Anniversary of the founding of the United States of America ("Semiquincentennial").

Section 15. Duties.

(a) The Commission shall develop, encourage, and execute an inclusive commemoration and observance of the founding of the United States of America, and Illinois' imperative role in the nation's history.

(b) The Commission shall promote the inclusive and respectful identification, interpretation, documentation, preservation, and recognition of cultural and historical narratives and resources, including traditional cultural knowledge, oral histories, archival materials, objects, buildings, structures, sites, and landscapes related to Illinois history and prehistory.

(c) The Commission shall consider organizing its activities under the 5 historic themes established by the American Association for State and Local History in "The Field Guide for the Semiquincentennial: Making History at 250".

(d) The Commission shall serve as the official representative of the State of Illinois for the Semiquincentennial and all related activities, communications, and events.

(e) The Governor's office shall encourage various State agencies and organizations to work cooperatively to promote the Semiquincentennial.

Section 20. Authority; administrative support.

(a) The Commission is authorized to cooperate with the United States Semiquincentennial Commission created by Public Law 114-196, other states, tribal nations, and national, State, and local organizations engaged in activities around the United States Semiquincentennial, and other tribal, national, regional, State, and local public and private organizations having compatible purposes.

(b) The Illinois State Museum shall provide administrative support to the Commission and may make expenditures according to State law.

Section 25. Membership; meetings.

(a) The Commission shall consist of the following members:

(1) One member appointed by the Lieutenant Governor.

(2) One member appointed by the President of the Senate and one member appointed by the Speaker of the House of Representatives.

(3) One member appointed by the Senate Minority Leader and one member appointed by the House Minority Leader.

(4) The Director of the Illinois State Museum.

(5) The Harold Washington Library Archivist.

(6) A Black historian reflecting the experiences and contributions of American Descendants of Slavery (ADOS), appointed by the Governor.

(7) A historian reflecting the experiences and contributions of Asian and Latina/o/x communities, appointed by the Governor.

(8) The following members appointed by the Governor:

(A) Three representatives of tribal Nations and communities including the Ojibwe, Odawa, Potawatomi, Shawnee, Osage, Peoria, Miami, Sac and Fox, Mesquaki, Kickapoo, Ho-Chunk, Menominee, and additional tribal members living in Illinois today.

(B) A representative of the Abraham Lincoln Presidential Library and Museum.

(C) A representative from the Department of Commerce and Economic Opportunity.

(D) A representative of Illinois humanities.

(E) A representative of the Illinois Municipal League.

(F) Three members of the public with related or relevant backgrounds, expertise, or interests. Knowledge in the following shall be prioritized in making an appointment under this item: the culture, traditions, and history of American Indians/Native Americans; Black Americans; Latinos/Latinas/Hispanic Americans; Asian Americans and Pacific Islanders; the LGBTQAI+ community; immigrants and refugees; veterans' organizations; women's history;

the history of Illinois' agriculture, architecture, armed forces, arts, civics, cultural geography, ecology, education, faith-based communities, folklore, government, industry, labor, law, medicine, and transportation; anthropology; archeology; cultural exhibits and museums; heritage tourism; historic preservation; and social justice.

(b) The Governor's office, with the assistance of the Chair of the Commission and the Illinois State Museum, shall be responsible for ensuring that 60% of the appointed members of the Commission consist of people who represent historically excluded and marginalized communities.

(c) The appointing authorities shall coordinate their appointments to represent and celebrate the diverse makeup and complex cultural geography of this State.

(d) The Commission may adopt bylaws for the establishment of a quorum and the conducting of business.

(e) Members shall serve for the duration of the Commission, provided any public official's expiration of a term of office shall create a vacancy. Any vacancy occurring in the membership of the Commission shall be filled in the same manner as the original appointment.

(f) The Commission shall hold meetings at least twice a year:

(1) at times and places to be determined by the Chair; and

(2) that are conducted in accordance with the Open Meetings Act.

(g) Members shall serve without compensation and shall not be reimbursed for expenses incurred in performing their duties.

(h) The Governor shall appoint a member of the Commission to serve as Chair of the Commission.

Section 30. Advisory committees and working groups. The Chair of the Commission, with the concurrence of the Commission, shall create one or more advisory committees and working groups to advise the Commission. Any advisory committee or working group shall conduct meetings in accordance with the Open Meetings Act.

Section 35. Illinois America 250 Commission Trust Fund; in-kind gifts.

(a) The Commission may accept monetary gifts and grants from any public or private source, which shall be held in the Illinois America 250 Commission Trust Fund. The Illinois America 250 Commission Trust Fund is created as a non-appropriated trust fund to be held outside of the State treasury, with the State Treasurer as custodian. All gifts, grants, assets, funds, or money received by the Commission under this Act shall be deposited and held in the Trust Fund by the State Treasurer as ex officio custodian separate and apart from all public money or funds of this State and shall be administered by the Commission exclusively for the purposes set forth in this Act. All money in the Trust Fund shall be invested and reinvested by the State Treasurer. All interest accruing from these investments shall be deposited into the Trust Fund.

(b) The Commission may also accept in-kind gifts.

Section 40. Reporting. The Commission shall make an annual written report and make any recommendations to the Governor and General Assembly at least 30 days prior to the convening of each regular session of the General Assembly, commencing with the start of the regular session in 2023 and continuing through its final report.

Section 45. Dissolution; repeal.

(a) The Commission and its advisory committees and working groups are dissolved on June 1, 2027, and any assets remaining in the Illinois America 250 Commission Trust Fund shall be deposited into the General Revenue Fund.

(b) This Act is repealed on January 1, 2028.

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 D. Turner, **House Bill No. 5015** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 52; NAYS None.

The following voted in the affirmative:

Aquino	Feigenholtz	Loughran Cappel	Stadelman
Bailey	Fine	Martwick	Stewart
Barickman	Fowler	McClure	Tracy
Belt	Gillespie	McConchie	Turner, D.
Bennett	Glowiak Hilton	Morrison	Turner, S.
Bryant	Harris	Muñoz	Van Pelt
Bush	Hastings	Murphy	Villa
Castro	Holmes	Pacione-Zayas	Villanueva
Collins	Hunter	Pappas	Wilcox
Connor	Johnson	Peters	Mr. President
Crowe	Joyce	Plummer	
Cunningham	Koehler	Rezin	
DeWitte	Landek	Simmons	
Ellman	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 Amendments adopted thereto.

On motion of Senator Pappas, **House Bill No. 5098** 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:

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

Senator E. Jones III asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **House Bill No. 5098**.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator McClure asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:25 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 2:42 o'clock p.m., the Senate resumed consideration of business.  
Senator Muñoz, presiding.

#### **PRESENTATION OF RESOLUTIONS**

##### **SENATE RESOLUTION NO. 961**

Offered by Senator Hastings and all Senators:  
Mourns the death of Deirdre Marie Clayton.

##### **SENATE RESOLUTION NO. 962**

Offered by Senator Hastings and all Senators:  
Mourns the passing of E.V. "Vickie" Griffith of Chicago.

##### **SENATE RESOLUTION NO. 963**

Offered by Senator Harmon and all Senators:  
Mourns the death of Olive Mobed.

##### **SENATE RESOLUTION NO. 964**

Offered by Senator Harmon and all Senators:  
Mourns the death of Dolores Register.

##### **SENATE RESOLUTION NO. 965**

Offered by Senator Harmon and all Senators:  
Mourns the death of Kathleen Jacobson.

##### **SENATE RESOLUTION NO. 966**

Offered by Senator Harmon and all Senators:  
Mourns the death of Margaret Birmingham.

##### **SENATE RESOLUTION NO. 967**

Offered by Senator Harmon and all Senators:  
Mourns the death of Ralph Schuler of River Forest.

##### **SENATE RESOLUTION NO. 968**

Offered by Senator Harmon and all Senators:

Mourns the passing of Edward P. "Coach" Galvin.

**SENATE RESOLUTION NO. 969**

Offered by Senator Harmon and all Senators:  
Mourns the death of Richard Weil.

**SENATE RESOLUTION NO. 970**

Offered by Senator Harmon and all Senators:  
Mourns the passing of George Teel Jorndt, Ph.D.

**SENATE RESOLUTION NO. 971**

Offered by Senator Harmon and all Senators:  
Mourns the death of Michael Kelly.

**SENATE RESOLUTION NO. 972**

Offered by Senator Harmon and all Senators:  
Mourns the passing of Janet H. "Jan" Hannigan of Oak Park.

**SENATE RESOLUTION NO. 973**

Offered by Senator Harmon and all Senators:  
Mourns the passing of Cynthia Williams Goodhouse of Oak Park.

**SENATE RESOLUTION NO. 974**

Offered by Senator Harmon and all Senators:  
Mourns the passing of Roy George Hlavacek.

**SENATE RESOLUTION NO. 975**

Offered by Senator Harmon and all Senators:  
Mourns the death of George Frederick Wendt.

**SENATE RESOLUTION NO. 976**

Offered by Senator Harmon and all Senators:  
Mourns the death of Edward Eric Borg.

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

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

**SENATE JOINT RESOLUTION NO. 54**

WHEREAS, Article V of the United States Constitution requires the Congress of the United States to convene a constitutional convention upon the application of two-thirds of the several states; and

WHEREAS, The Illinois General Assembly has made applications to the United States Congress to call one or more conventions to propose amendments concerning specific subjects to the United States Constitution, pursuant to Article V of the United States Constitution; and

WHEREAS, Some of the applications on file from the Illinois General Assembly are from more than 100 years in the past, and since that time Illinois has more than doubled in population and our laws and resolutions should keep pace with progress in the State; and

WHEREAS, A constitutional convention convened by Congress could make sweeping changes to the United States Constitution and threaten the liberty of future generations of Illinoisans; and

WHEREAS, The Illinois General Assembly is aware that other state legislatures have made applications requesting that Congress convene a constitutional convention; and

WHEREAS, The Illinois General Assembly does not want its previous applications for a constitutional convention to be included with any unrelated applications made by other state legislatures for a constitutional convention; 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 all resolutions, memorials, applications, or other enactments previously passed by the Illinois General Assembly, or either house thereof, petitioning Congress for a convention under Article V of the United States Constitution are rescinded, canceled, voided, nullified, and superseded upon passage of this resolution; and be it further

RESOLVED, That copies of this Joint Resolution be sent, within 30 days of passage, to the Clerk of the United States House of Representatives, the Secretary of the United States Senate, and each member of the Illinois Congressional delegation; and be it further

RESOLVED, That the members of the Illinois General Assembly request that this Joint Resolution be published in the Congressional Record and listed in the official tally of state legislative applications relating to calling for the United States Congress to call a convention to propose amendments to the United States Constitution.

#### INTRODUCTION OF BILL

**SENATE BILL NO. 4206.** Introduced by Senator Bennett, a bill for AN ACT concerning public employee benefits.

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

#### 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. 3180

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. 2 to SENATE BILL NO. 3180

Passed the House, as amended, April 6, 2022.

JOHN W. HOLLMAN, Clerk of the House

#### AMENDMENT NO. 2 TO SENATE BILL 3180

AMENDMENT NO. 2. Amend Senate Bill 3180 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 3-7-2 as follows:

(730 ILCS 5/3-7-2) (from Ch. 38, par. 1003-7-2)

Sec. 3-7-2. Facilities.

(a) All institutions and facilities of the Department shall provide every committed person with access to toilet facilities, barber facilities, bathing facilities at least once each week, a library of legal materials and published materials including newspapers and magazines approved by the Director. A committed person may not receive any materials that the Director deems pornographic.

(b) (Blank).

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(c) All institutions and facilities of the Department shall provide facilities for every committed person to leave his cell for at least one hour each day unless the chief administrative officer determines that it would be harmful or dangerous to the security or safety of the institution or facility.

(d) All institutions and facilities of the Department shall provide every committed person with a wholesome and nutritional diet at regularly scheduled hours, drinking water, clothing adequate for the season, bedding, soap and towels and medical and dental care.

(e) All institutions and facilities of the Department shall permit every committed person to send and receive an unlimited number of uncensored letters, provided, however, that the Director may order that mail be inspected and read for reasons of the security, safety or morale of the institution or facility.

(f) All of the institutions and facilities of the Department shall permit every committed person to receive in-person visitors and video contact, if available, except in case of abuse of the visiting privilege or when the chief administrative officer determines that such visiting would be harmful or dangerous to the security, safety or morale of the institution or facility. Each committed person is entitled to 7 visits per month. Every committed person may submit a list of at least 30 persons to the Department that are authorized to visit the committed person. The list shall be kept in an electronic format by the Department beginning on August 1, 2019, as well as available in paper form for Department employees. The chief administrative officer shall have the right to restrict visitation to non-contact visits, video, or other forms of non-contact visits for reasons of safety, security, and order, including, but not limited to, restricting contact visits for committed persons engaged in gang activity. No committed person in a super maximum security facility or on disciplinary segregation is allowed contact visits. Any committed person found in possession of illegal drugs or who fails a drug test shall not be permitted contact visits for a period of at least 6 months. Any committed person involved in gang activities or found guilty of assault committed against a Department employee shall not be permitted contact visits for a period of at least 6 months. The Department shall offer every visitor appropriate written information concerning HIV and AIDS, including information concerning how to contact the Illinois Department of Public Health for counseling information. The Department shall develop the written materials in consultation with the Department of Public Health. The Department shall ensure that all such information and materials are culturally sensitive and reflect cultural diversity as appropriate. Implementation of the changes made to this Section by Public Act 94-629 is subject to appropriation. The Department shall seek the lowest possible cost to provide video calling and shall charge to the extent of recovering any demonstrated costs of providing video calling. The Department shall not make a commission or profit from video calling services. Nothing in this Section shall be construed to permit video calling instead of in-person visitation.

(f-5) (Blank).

(f-10) The Department may not restrict or limit in-person visits to committed persons due to the availability of interactive video conferences.

(f-15)(1) The Department shall issue a standard written policy for each institution and facility of the Department that provides for:

(A) the number of in-person visits each committed person is entitled to per week and per month including the requirements of subsection (f) of this Section;

(B) the hours of in-person visits;

(C) the type of identification required for visitors at least 18 years of age; and

(D) the type of identification, if any, required for visitors under 18 years of age.

(2) This policy shall be posted on the Department website and at each facility.

(3) The Department shall post on its website daily any restrictions or denials of visitation for that day and the succeeding 5 calendar days, including those based on a lockdown of the facility, to inform family members and other visitors.

(g) All institutions and facilities of the Department shall permit religious ministrations and sacraments to be available to every committed person, but attendance at religious services shall not be required.

(h) Within 90 days after December 31, 1996, the Department shall prohibit the use of curtains, cell-coverings, or any other matter or object that obstructs or otherwise impairs the line of vision into a committed person's cell.

(i) A point of contact person appointed under subsection (u-6) of Section 3-2-2 of this Code shall promptly and efficiently review suggestions, complaints, and other requests made by visitors to institutions and facilities of the Department and by other members of the public. Based on the nature of the submission, the point of contact person shall communicate with the appropriate division of the Department, disseminate the concern or complaint, and act as liaison between the parties to reach a resolution.

(1) The point of contact person shall maintain information about the subject matter of each correspondence, including, but not limited to, information about the following subjects:

- (A) the parties making the submission;
- (B) any commissary-related concerns;
- (C) any concerns about the institution or facility's COVID protocols and mitigations;
- (D) any concerns about mail, video, or electronic messages or other communications with incarcerated persons;
- (E) any concerns about the institution or facility;
- (F) any discipline-related concerns;
- (G) any concerns about earned sentencing credits;
- (H) any concerns about educational opportunities for incarcerated persons;
- (I) any concerns about health-related matters;
- (J) any mental health concerns;
- (K) any concerns about personal property;
- (L) any concerns about the records of the incarcerated person;
- (M) any concerns about recreational opportunities for incarcerated persons;
- (N) any staffing-related concerns;
- (O) any concerns about the transfer of individuals in custody;
- (P) any concerns about visitation; and
- (Q) any concerns about work opportunities for incarcerated persons.

The information shall be maintained in accordance with standards set by the Department of Corrections, and shall be made available to the Department's Planning and Research Division. The point of contact person shall provide a summary of the results of the review, including any resolution or recommendations made as a result of correspondence with the Planning and Research Division of the Department.

(2) The Department shall provide an annual written report to the General Assembly and the Governor, with the first report due no later than January 1, 2023, and publish the report on its website within 48 hours after the report is transmitted to the Governor and the General Assembly. The report shall include a summary of activities undertaken and completed as a result of submissions to the point of contact person. The Department of Corrections shall collect and report the following aggregated and disaggregated data for each institution and facility and describe:

- (A) the work of the point of contact person;
- (B) the general nature of suggestions, complaints, and other requests submitted to the point of contact person;
- (C) the volume of emails, calls, letters, and other correspondence received by the point of contact person;
- (D) the resolutions reached or recommendations made as a result of the point of contact person's review;
- (E) whether, if an investigation is recommended, a report of the complaint was forwarded to the Chief Inspector of the Department or other Department employee, and the resolution of the complaint, and if the investigation has not concluded, a detailed status report on the complaint; and
- (F) any recommendations that the point of contact person has relating to systemic issues in the Department of Corrections, and any other matters for consideration by the General Assembly and the Governor.

The name, address, or other personally identifiable information of a person who files a complaint, suggestion, or other request with the point of contact person, and confidential records shall be redacted from the annual report and are not subject to disclosure under the Freedom of Information Act. The Department shall disclose the records only if required by a court order on a showing of good cause.

(3) The Department must post in a conspicuous place in the waiting area of every facility or institution a sign that contains in bold, black type the following:

- (A) a short statement notifying visitors of the point of contact person and that person's duty to receive suggestions, complaints, or other requests; and
- (B) information on how to submit suggestions, complaints, or other requests to the point of contact person.

(Source: P.A. 99-933, eff. 1-27-17; 100-30, eff. 1-1-18; 100-142, eff. 1-1-18; 100-677, eff. 1-1-19; 100-863, eff. 8-14-18.)

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

Under the rules, the foregoing **Senate Bill No. 3180**, 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. 4028

A bill for AN ACT concerning education.

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

House Amendment No. 2 to SENATE BILL NO. 4028

Passed the House, as amended, April 6, 2022.

JOHN W. HOLLMAN, Clerk of the House

**AMENDMENT NO. 2 TO SENATE BILL 4028**

AMENDMENT NO. 2. Amend Senate Bill 4028 on page 9, by replacing lines 2 through 7 with the following:

"comprised of no more than 6 youth aged 14 to 25 and 4 representatives of 4 different community based organizations that focus on youth mental health. Of the community-based organizations that focus on youth mental health, one of the community-based organizations shall be led by an LGBTQ-identified person, one of the community-based organizations shall be led by a person of color, and one of the community-based organizations shall be led by a woman. Of the representatives appointed to the council from the community-based organizations, at least one representative shall be LGBTQ-identified, at least one representative shall be a person of color, and at least one representative shall be a woman. The council members shall be appointed by the Chair of the"

Under the rules, the foregoing **Senate Bill No. 4028**, with House Amendment No. 2, was referred to the Secretary's Desk.

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Lightford, Chair of the Committee on Assignments, during its April 6, 2022 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Joint Resolution No. 54; Floor Amendment No. 1 to House Bill 601; Floor Amendment No. 2 to House Bill 1091; Floor Amendment No. 3 to House Bill 1091; Floor Amendment No. 3 to House Bill 3699; Floor Amendment No. 2 to House Bill 3772; Committee Amendment No. 1 to House Bill 4647; Floor Amendment No. 2 to House Bill 4736; Floor Amendment No. 2 to House Bill 5012; Floor Amendment No. 3 to House Bill 5283; Motion to Concur in House Amendment No. 1 to Senate Bill 1099 and Motion to Concur in House Amendment No. 2 to Senate Bill 1405.**

Senator Lightford, Chair of the Committee on Assignments, during its April 6, 2022 meeting, to which was referred **House Bills Numbered 246, 900 and 3418** on November 28, 2021, pursuant to Rule 3-9(b), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **House Bills Numbered 246, 900 and 3418** were returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its April 6, 2022 meeting, to which was referred **House Bills numbered 2380, 3823, 4215 and 4451**, reported the same back with the

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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 House Bill 3699 and Floor Amendment No. 1 to House Bill 3772.**

### 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 246  
 Amendment No. 1 to House Bill 2380  
 Amendment No. 1 to House Bill 4215

### REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its April 6, 2022 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Executive: **Floor Amendment No. 1 to House Bill 246; Floor Amendment No. 1 to House Bill 2380; Floor Amendment No. 1 to House Bill 4215.**

### 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. 3889

A bill for AN ACT concerning 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. 5 to SENATE BILL NO. 3889

House Amendment No. 6 to SENATE BILL NO. 3889

Passed the House, as amended, April 6, 2022.

JOHN W. HOLLMAN, Clerk of the House

#### AMENDMENT NO. 5 TO SENATE BILL 3889

AMENDMENT NO. 5 . Amend Senate Bill 3889 by replacing everything after the enacting clause with the following:

"Section 5. The Children's Mental Health Act of 2003 is amended by changing Sections 1 and 5 as follows:

(405 ILCS 49/1)

Sec. 1. Short title. This Act may be cited as the Children's Mental Health Act ~~of 2003.~~

(Source: P.A. 93-495, eff. 8-8-03.)

(405 ILCS 49/5)

Sec. 5. Children's Mental Health Partnership; Children's Mental Health Plan.

(a) The Children's Mental Health Partnership (hereafter referred to as "the Partnership") created under Public Act 93-495 and continued under this amendatory Act of the 102nd General Assembly shall advise State agencies on designing and implementing short-term and long-term strategies to provide comprehensive and coordinated services for children from birth to age 25 and their families with the goal of addressing children's mental health needs across a full continuum of care, including social determinants of

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health, prevention, early identification, and treatment. The recommended strategies shall build upon the recommendations in the Children's Mental Health Plan of 2022 and may include, but are not limited to, recommendations regarding the following: ~~The State of Illinois shall develop a Children's Mental Health Plan containing short term and long term recommendations to provide comprehensive, coordinated mental health prevention, early intervention, and treatment services for children from birth through age 18. This Plan shall include but not be limited to:~~

~~(1) Increasing public awareness on issues connected to children's mental health and wellness to decrease stigma, promote acceptance, and strengthen the ability of children, families, and communities to access supports. Coordinated provider services and interagency referral networks for children from birth through age 18 to maximize resources and minimize duplication of services.~~

~~(2) Coordination of programs, services, and policies across child-serving State agencies to best monitor and assess spending, as well as foster innovation of adaptive or new practices. Guidelines for incorporating social and emotional development into school learning standards and educational programs, pursuant to Section 15 of this Act.~~

~~(3) Funding and resources for children's mental health prevention, early identification, and treatment across child-serving State agencies. Protocols for implementing screening and assessment of children prior to any admission to an inpatient hospital for psychiatric services, pursuant to subsection (a) of Section 5-5.23 of the Illinois Public Aid Code.~~

~~(4) Facilitation of research on best practices and model programs and dissemination of this information to State policymakers, practitioners, and the general public. Recommendations regarding a State budget for children's mental health prevention, early intervention, and treatment across all State agencies.~~

~~(5) Monitoring programs, services, and policies addressing children's mental health and wellness. Recommendations for State and local mechanisms for integrating federal, State, and local funding sources for children's mental health.~~

~~(6) Growing, retaining, diversifying, and supporting the child-serving workforce, with special emphasis on professional development around child and family mental health and wellness services. Recommendations for building a qualified and adequately trained workforce prepared to provide mental health services for children from birth through age 18 and their families.~~

~~(7) Supporting the design, implementation, and evaluation of a quality-driven children's mental health system of care across all child services that prevents mental health concerns and mitigates trauma. Recommendations for facilitating research on best practices and model programs, and dissemination of this information to Illinois policymakers, practitioners, and the general public through training, technical assistance, and educational materials.~~

~~(8) Improving the system to more effectively meet the emergency and residential placement needs for all children with severe mental and behavioral challenges. Recommendations for a comprehensive, multi-faceted public awareness campaign to reduce the stigma of mental illness and educate families, the general public, and other key audiences about the benefits of children's social and emotional development, and how to access services.~~

~~(9) Recommendations for creating a quality-driven children's mental health system with shared accountability among key State agencies and programs that conducts ongoing needs assessments, uses outcome indicators and benchmarks to measure progress, and implements quality data tracking and reporting systems.~~

~~(10) Recommendations for ensuring all Illinois youth receive mental health education and have access to mental health care in the school setting. In developing these recommendations, the Children's Mental Health Partnership created under subsection (b) shall consult with the State Board of Education, education practitioners, including, but not limited to, administrators, regional superintendents of schools, teachers, and school support personnel, health care professionals, including mental health professionals and child health leaders, disability advocates, and other representatives as necessary to ensure the interests of all students are represented.~~

~~(b) The Children's Mental Health Partnership (hereafter referred to as "the Partnership") is created.~~

~~The Partnership shall have the responsibility of developing and updating the Children's Mental Health Plan and advising the relevant State agencies on implementation of the Plan. The Children's Mental Health Partnership shall be comprised of the following members:~~

~~(1) The Governor or his or her designee.~~

~~(2) The Attorney General or his or her designee.~~



(3) The Secretary of the Department of Human Services or his or her designee.

(4) The State Superintendent of Education or his or her designee.

(5) The Director of the Department of Children and Family Services or his or her designee.

(6) The Director of the Department of Healthcare and Family Services or his or her designee.

(7) The Director of the Department of Public Health or his or her designee.

(8) The Director of the Department of Juvenile Justice or his or her designee.

(9) The Executive Director of the Governor's Office of Early Childhood Development or his or her designee.

(10) The Director of the Criminal Justice Information Authority or his or her designee.

(11) One member of the General Assembly appointed by the Speaker of the House.

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

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

(14) One member of the General Assembly appointed by the Minority Leader of the House.

(15) Up to 25 representatives from the public reflecting a diversity of age, gender identity, race, ethnicity, socioeconomic status, and geographic location, to be appointed by the Governor. Those public members appointed under this paragraph must include, but are not limited to:

(A) a family member or individual with lived experience in the children's mental health system;

(B) a child advocate;

(C) a community mental health expert, practitioner, or provider;

(D) a representative of a statewide association representing a majority of hospitals in the State;

(E) an early childhood expert or practitioner;

(F) a representative from the K-12 school system;

(G) a representative from the healthcare sector;

(H) a substance use prevention expert or practitioner, or a representative of a statewide association representing community-based mental health substance use disorder treatment providers in the State;

(I) a violence prevention expert or practitioner;

(J) a representative from the juvenile justice system; and

(K) a school social worker.

(16) Two co-chairs appointed by the Governor, one being a representative from the public and one being a representative from the State.

The members appointed by the Governor shall be appointed for 4 years with one opportunity for reappointment, except as otherwise provided for in this subsection. Members who were appointed by the Governor and are serving on the effective date of this amendatory Act of the 102nd General Assembly shall maintain their appointment until the term of their appointment has expired. For new appointments made pursuant to this amendatory Act of the 102nd General Assembly, members shall be appointed for one-year, two-year, or four-year terms, as determined by the Governor, with no more than 9 of the Governor's new or existing appointees serving the same term. Those new appointments serving a one-year or 2-year term may be appointed to 2 additional 4-year terms. If a vacancy occurs in the Partnership membership, the vacancy shall be filled in the same manner as the original appointment for the remainder of the term.

The Partnership shall be convened no later than January 31, 2023 to discuss the changes in this amendatory Act of the 102nd General Assembly.

The members of the Partnership shall serve without compensation but may be entitled to reimbursement for all necessary expenses incurred in the performance of their official duties as members of the Partnership from funds appropriated for that purpose.

The Partnership may convene and appoint special committees or study groups to operate under the direction of the Partnership. Persons appointed to such special committees or study groups shall only receive reimbursement for reasonable expenses.

monitoring the implementation of the Children's Mental Health Plan as approved by the Governor. The Children's Mental Health Partnership shall be comprised of: the Secretary of Human Services or his or her designee; the State Superintendent of Education or his or her designee; the directors of the departments of Children and Family Services, Healthcare and Family Services, Public Health, and Juvenile Justice, or their designees; the head of the Illinois Violence Prevention Authority, or his or her designee; the Attorney General or his or her designee; up to 25 representatives of community mental health authorities and

statewide mental health, children and family advocacy, early childhood, education, health, substance abuse, violence prevention, and juvenile justice organizations or associations, to be appointed by the Governor; and 2 members of each caucus of the House of Representatives and Senate appointed by the Speaker of the House of Representatives and the President of the Senate, respectively. The Governor shall appoint the Partnership Chair and shall designate a Governor's staff liaison to work with the Partnership.

(c) (Blank). The Partnership shall submit a Preliminary Plan to the Governor on September 30, 2004 and shall submit the Final Plan on June 30, 2005. Thereafter, on September 30 of each year, the Partnership shall submit an annual report to the Governor on the progress of Plan implementation and recommendations for revisions in the Plan. The Final Plan and annual reports submitted in subsequent years shall include estimates of savings achieved in prior fiscal years under subsection (a) of Section 5-5.23 of the Illinois Public Aid Code and federal financial participation received under subsection (b) of Section 5-5.23 of that Code. The Department of Healthcare and Family Services shall provide technical assistance in developing these estimates and reports.

(d) The Illinois Children's Mental Health Partnership has the following powers and duties:

(1) Conducting research assessments to determine the needs and gaps of programs, services, and policies that touch children's mental health.

(2) Developing policy statements for interagency cooperation to cover all aspects of mental health delivery, including social determinants of health, prevention, early identification, and treatment.

(3) Recommending policies and provide information on effective programs for delivery of mental health services.

(4) Using funding from federal, state, or philanthropic partners, to fund pilot programs or research activities to resource innovative practices by organizational partners that will address children's mental health. However, the Partnership may not provide direct services.

(5) Submitting an annual report, on or before December 30 of each year, to the Governor and the General Assembly on the progress of the Plan, any recommendations regarding State policies, laws, or rules necessary to fulfill the purposes of the Act, and any additional recommendations regarding mental or behavioral health that the Partnership deems necessary.

(6) Employing an Executive Director and setting the compensation of the Executive Director and other such employees and technical assistance as it deems necessary to carry out its duties under this Section.

The Partnership may designate a fiscal and administrative agent that can accept funds to carry out its duties as outlined in this Section.

The Department of Healthcare and Family Services shall provide technical and administrative support for the Partnership.

(e) The Partnership may accept monetary gifts or grants from the federal government or any agency thereof, from any charitable foundation or professional association, or from any reputable source for implementation of any program necessary or desirable to carry out the powers and duties as defined under this Section.

(f) On or before January 1, 2027, the Partnership shall submit recommendations to the Governor and General Assembly that includes recommended updates to the Act to reflect the current mental health landscape in this State.

(Source: P.A. 102-16, eff. 6-17-21; 102-116, eff. 7-23-21.)

Section 99. Effective date. This Act takes effect January 1, 2023."

#### AMENDMENT NO. 6 TO SENATE BILL 3889

AMENDMENT NO. 6 . Amend Senate Bill 3889, AS AMENDED, with reference to page and line numbers of House Amendment No. 5, on page 7, line 16, by deleting "and"; and

on page 7, line 17, by replacing "." with "and"; and

on page 7, immediately below line 17, by inserting the following:

"(L) a representative of a statewide organization representing pediatricians."

Under the rules, the foregoing **Senate Bill No. 3889**, with House Amendments numbered 5 and 6, was referred to the Secretary's Desk.

[April 6, 2022]

### POSTING NOTICES WAIVED

Senator Castro moved to waive the six-day posting requirement on **House Bill No. 4647** so that the measure may be heard in the Committee on Executive that is scheduled to meet April 6, 2022.

The motion prevailed.

Senator Castro moved to waive the six-day posting requirement on **Senate Joint Resolution No. 54** so that the measure may be heard in the Committee on Executive that is scheduled to meet April 6, 2022.

The motion prevailed.

### PRESENTATION OF RESOLUTION

#### SENATE RESOLUTION NO. 977

Offered by Senator Van Pelt and all Senators:

Mourns the death of Thomas Sewell V.

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

### COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committee to meet at 3:30 o'clock p.m.:

Health in Room 400

The Chair announced the following committee to meet at 4:00 o'clock p.m.:

Executive in Room 212

### READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Loughran Cappel, **House Bill No. 5246** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None; Present 1.

The following voted in the affirmative:

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

[April 6, 2022]

The following voted present:

Barickman

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 E. Jones III, **House Bill No. 5328** was recalled from the order of third reading to the order of second reading.

Senator E. Jones III offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO HOUSE BILL 5328

AMENDMENT NO. 1. Amend House Bill 5328 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 11-605 and 11-605.3 as follows:

(625 ILCS 5/11-605) (from Ch. 95 1/2, par. 11-605)

Sec. 11-605. Special speed limit while passing schools.

(a) For the purpose of this Section, "school" means the following entities:

- (1) A public or private primary or secondary school.
- (2) A primary or secondary school operated by a religious institution.
- (3) A public, private, or religious nursery school.

On a school day when school children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic, no person shall drive a motor vehicle at a speed in excess of 20 miles per hour while passing a school zone or while traveling on a local, county, or State roadway on public school property or upon any public thoroughfare where children pass going to and from school.

For the purpose of this Section, a school day begins at 6:30 a.m. and concludes at 4 p.m.

This Section shall not be applicable unless appropriate signs are posted upon streets and highways under their respective jurisdiction and maintained by the Department, township, county, park district, city, village or incorporated town wherein the school zone is located. With regard to the special speed limit while passing schools, such signs shall give proper due warning that a school zone is being approached and shall indicate the school zone and the maximum speed limit in effect during school days when school children are present.

(b) (Blank).

(c) Nothing in this Chapter shall prohibit the use of electronic speed-detecting devices within 500 feet of signs within a special school speed zone indicating such zone, as defined in this Section, nor shall evidence obtained thereby be inadmissible in any prosecution for speeding provided the use of such device shall apply only to the enforcement of the speed limit in such special school speed zone.

(d) (Blank).

(e) Except as provided in subsection (e-5), a person who violates this Section is guilty of a petty offense. Violations of this Section are punishable with a minimum fine of \$150 for the first violation and a minimum fine of \$300 for the second or subsequent violation.

(e-5) A person committing a violation of this Section is guilty of aggravated special speed limit while passing schools when he or she drives a motor vehicle at a speed that is:

- (1) 26 miles per hour or more but less than 35 miles per hour in excess of the applicable special speed limit established under this Section or a similar provision of a local ordinance and is guilty of a Class B misdemeanor; or

(2) 35 miles per hour or more in excess of the applicable special speed limit established under this Section or a similar provision of a local ordinance and is guilty of a Class A misdemeanor.

(f) (Blank).

(g) (Blank).

(h) (Blank).

(Source: P.A. 102-58, eff. 7-9-21.)

(625 ILCS 5/11-605.3)

Sec. 11-605.3. Special traffic protections while passing parks and recreation facilities and areas.

(a) As used in this Section:

(1) "Park district" means the following entities:

(A) any park district organized under the Park District Code;

(B) any park district organized under the Chicago Park District Act; and

(C) any municipality, county, forest district, school district, township, or other unit of local government that operates a public recreation department or public recreation facilities that has recreation facilities that are not on land owned by any park district listed in subparagraphs (A) and (B) of this subdivision (a)(1).

(2) "Park zone" means the recreation facilities and areas on any land owned or operated by a park district that are used for recreational purposes, including but not limited to: parks; playgrounds; swimming pools; hiking trails; bicycle paths; picnic areas; roads and streets; and parking lots.

(3) "Park zone street" means that portion of any State or local street or intersection under the control of a local unit of government, adjacent to a park zone, where the local unit of government has, by ordinance or resolution, designated and approved the street or intersection as a park zone street. If, before the effective date of this amendatory Act of the 94th General Assembly, a street already had a posted speed limit lower than 20 miles per hour, then the lower limit may be used for that park zone street.

(4) "Safety purposes" means the costs associated with: park zone safety education; the purchase, installation, and maintenance of signs, roadway painting, and caution lights mounted on park zone signs; and any other expense associated with park zones and park zone streets.

(b) On any day when children are present and within 50 feet of motorized traffic, a person may not drive a motor vehicle at a speed in excess of 20 miles per hour or any lower posted speed while traveling on a park zone street that has been designated for the posted reduced speed.

(c) On any day when children are present and within 50 feet of motorized traffic, any driver traveling on a park zone street who fails to come to a complete stop at a stop sign or red light, including a driver who fails to come to a complete stop at a red light before turning right onto a park zone street, is in violation of this Section.

(d) This Section does not apply unless appropriate signs are posted upon park zone streets maintained by the Department or by the unit of local government in which the park zone is located. With regard to the special speed limit on park zone streets, the signs must give proper due warning that a park zone is being approached and must indicate the maximum speed limit on the park zone street.

(e) A first violation of this Section is a petty offense with a minimum fine of \$250. A second or subsequent violation of this Section is a petty offense with a minimum fine of \$500.

(f) (Blank).

(g) The Department shall, within 6 months of the effective date of this amendatory Act of the 94th General Assembly, design a set of standardized traffic signs for park zones and park zone streets, including but not limited to: "park zone", "park zone speed limit", and "warning: approaching a park zone". The design of these signs shall be made available to all units of local government or manufacturers at no charge, except for reproduction and postage.

(Source: P.A. 100-987, eff. 7-1-19)."

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 E. Jones III, **House Bill No. 5328** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Wilcox

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

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

**HOUSE BILL RECALLED**

On motion of Senator E. Jones III, **House Bill No. 5167** was recalled from the order of third reading to the order of second reading.

Senator E. Jones III offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 5167**

AMENDMENT NO. 1. Amend House Bill 5167 on page 5, line 17, by replacing "January" with "July"; and

on page 5, line 21, by replacing "January" with "July"; and

on page 18, line 11, by replacing "January" with "July"; and

on page 18, line 14, by replacing "January" with "July"; and

on page 18, line 22, by replacing "January" with "July"; and

on page 33, line 7, by replacing "January" with "July"; and

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on page 33, line 10, by replacing "January" with "July"; and  
 on page 33, line 22, by replacing "January" with "July"; and  
 on page 40, line 13, by replacing "January" with "July"; and  
 on page 40, line 16, by replacing "January" with "July"; and  
 on page 41, line 18, by replacing "January" with "July"; and  
 on page 42, line 3, by replacing "January" with "July"; and  
 on page 43, line 3, by replacing "January" with "July"; and  
 on page 97 line 16, by replacing "January" with "July"; and  
 on page 97 line 24, by replacing "July" with "October"; and  
 on page 134 line 24, by replacing "July" with "October".

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 E. Jones III, **House Bill No. 5167** 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 58; NAYS None.

The following voted in the affirmative:

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

[April 6, 2022]

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. 5201** 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 44; NAYS 2.

The following voted in the affirmative:

Aquino	Feigenholtz	Koehler	Sims
Belt	Fine	Landek	Stadelman
Bennett	Fowler	Lightford	Turner, D.
Bush	Gillespie	Loughran Cappel	Turner, S.
Castro	Glowiak Hilton	McConchie	Van Pelt
Collins	Harris	Morrison	Villa
Connor	Hastings	Muñoz	Villanueva
Crowe	Holmes	Murphy	Mr. President
Cunningham	Hunter	Pacione-Zayas	
Curran	Johnson	Pappas	
DeWitte	Jones, E.	Peters	
Ellman	Joyce	Simmons	

The following voted in the negative:

Bryant  
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.

On motion of Senator Gillespie, **House Bill No. 5441** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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DeWitte	Landek	Simmons
Ellman	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.

On motion of Senator Martwick, **House Bill No. 5472** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

### SENATE BILL RECALLED

On motion of Senator Crowe, **Senate Bill No. 1001** was recalled from the order of third reading to the order of second reading.

Senator Crowe offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO SENATE BILL 1001

AMENDMENT NO. 1. Amend Senate Bill 1001 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Section 5-3 as follows:  
(235 ILCS 5/5-3) (from Ch. 43, par. 118)

Sec. 5-3. License fees. Except as otherwise provided herein, at the time application is made to the State Commission for a license of any class, the applicant shall pay to the State Commission the fee hereinafter provided for the kind of license applied for.

The fee for licenses issued by the State Commission shall be as follows:

Online	Initial
renewal	license
	or

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		non-online renewal
For a manufacturer's license:		
Class 1. Distiller .....	\$4,000	\$5,000
Class 2. Rectifier .....	4,000	5,000
Class 3. Brewer .....	1,200	1,500
Class 4. First-class Wine Manufacturer .....	<u>750</u> <del>1,200</del>	<u>900</u> <del>1,500</del>
Class 5. Second-class Wine Manufacturer .....	1,500	1,750
Class 6. First-class wine-maker .....	<u>750</u> <del>1,200</del>	<u>900</u> <del>1,500</del>
Class 7. Second-class wine-maker .....	1,500	1,750
Class 8. Limited Wine Manufacturer .....	250	350
Class 9. Craft Distiller .....	2,000	2,500
Class 10. Class 1 Craft Distiller .....	50	75
Class 11. Class 2 Craft Distiller .....	75	100
Class 12. Class 1 Brewer .....	50	75
Class 13. Class 2 Brewer .....	75	100
Class 14. Class 3 Brewer .....	25	50
For a Brew Pub License .....	1,200	1,500
For a Distilling Pub License .....	1,200	1,500
For a caterer retailer's license .....	350	500
For a foreign importer's license .....	25	25
For an importing distributor's license .....	25	25
For a distributor's license (11,250,000 gallons or over) .....	1,450	2,200
For a distributor's license (over 4,500,000 gallons, but under 11,250,000 gallons) .....	950	1,450
For a distributor's license (4,500,000 gallons or under) .....	300	450
For a non-resident dealer's license (500,000 gallons or over) or with self-distribution privileges .....	1,200	1,500
For a non-resident dealer's license (under 500,000 gallons) .....	250	350
For a wine-maker's premises license .....	250	500
For a winery shipper's license (under 250,000 gallons) .....	200	350
For a winery shipper's license (250,000 or over, but under 500,000 gallons) .....	750	1,000
For a winery shipper's license (500,000 gallons or over) .....	1,200	1,500
For a wine-maker's premises license, second location .....	500	1,000
For a wine-maker's premises license, third location .....	500	1,000
For a retailer's license .....	600	750
For a special event retailer's license, (not-for-profit) .....	25	25

For a beer showcase permit license, one day only .....	100	150
2 days or more .....	150	250
For a special use permit license, one day only .....	100	150
2 days or more .....	150	250
For a railroad license .....	100	150
For a boat license .....	500	1,000
For an airplane license, times the licensee's maximum number of aircraft in flight, serving liquor over the State at any given time, which either originate, terminate, or make an intermediate stop in the State .....	100	150
For a non-beverage user's license:		
Class 1 .....	24	24
Class 2 .....	60	60
Class 3 .....	120	120
Class 4 .....	240	240
Class 5 .....	600	600
For a broker's license .....	750	1,000
For an auction liquor license .....	100	150
For a homebrewer special event permit .....	25	25
For a craft distiller tasting permit .....	25	25
For a BASSET trainer license .....	300	350
For a tasting representative license .....	200	300
For a brewer warehouse permit .....	25	25
For a craft distiller warehouse permit .....	25	25

Fees collected under this Section shall be paid into the Dram Shop Fund. On and after July 1, 2003 and until June 30, 2016, of the funds received for a retailer's license, in addition to the first \$175, an additional \$75 shall be paid into the Dram Shop Fund, and \$250 shall be paid into the General Revenue Fund. On and after June 30, 2016, one-half of the funds received for a retailer's license shall be paid into the Dram Shop Fund and one-half of the funds received for a retailer's license shall be paid into the General Revenue Fund. Beginning June 30, 1990 and on June 30 of each subsequent year through June 29, 2003, any balance over \$5,000,000 remaining in the Dram Shop Fund shall be credited to State liquor licensees and applied against their fees for State liquor licenses for the following year. The amount credited to each licensee shall be a proportion of the balance in the Dram Fund that is the same as the proportion of the license fee paid by the licensee under this Section for the period in which the balance was accumulated to the aggregate fees paid by all licensees during that period.

No fee shall be paid for licenses issued by the State Commission to the following non-beverage users:

(a) Hospitals, sanitariums, or clinics when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(b) Universities, colleges of learning or schools when their use of alcoholic liquor is exclusively medicinal, mechanical or scientific.

(c) Laboratories when their use is exclusively for the purpose of scientific research.

(Source: P.A. 101-482, eff. 8-23-19; 101-615, eff. 12-20-19; 102-442, eff. 8-20-21; 102-558, eff. 8-20-21.)

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

The motion prevailed.

[April 6, 2022]

And the amendment was adopted and ordered printed.  
 Senator Crowe offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 1001**

AMENDMENT NO. 2. Amend Senate Bill 1001, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 6, lines 18 and 19, by replacing "upon becoming law" with "on August 1, 2022".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

**READING BILLS OF THE SENATE A THIRD TIME**

On motion of Senator Crowe, **Senate Bill No. 1001** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Fine, **Senate Bill No. 3926** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Stewart
Aquino	Fine	Martwick	Stoller
Bailey	Fowler	McClure	Syverson

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Barickman	Gillespie	McConchie	Tracy
Belt	Glowiak Hilton	Morrison	Turner, D.
Bennett	Harris	Muñoz	Turner, S.
Bryant	Hastings	Murphy	Van Pelt
Bush	Holmes	Pacione-Zayas	Villa
Castro	Hunter	Pappas	Villanueva
Collins	Johnson	Peters	Wilcox
Connor	Jones, E.	Plummer	Mr. President
Crowe	Joyce	Rezin	
Cunningham	Koehler	Rose	
DeWitte	Landek	Sims	
Ellman	Lightford	Stadelman	

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

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

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Harris, **House Bill No. 1175** 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 3.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson  
Plummer  
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 Cunningham, **House Bill No. 1449** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 40; NAYS 18.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Rezin	Tracy
Bailey	Fowler	Rose	Turner, S.
Barickman	McClure	Stewart	Wilcox
Bryant	McConchie	Stoller	
Curran	Plummer	Syverson	

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

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 3:38 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 6:59 o'clock p.m., the Senate resumed consideration of business.

Senator Muñoz, presiding.

#### PRESENTATION OF RESOLUTIONS

##### SENATE RESOLUTION NO. 978

Offered by Senator Anderson and all Senators:  
Mourns the passing of James R. "Jim" Grafton.

##### SENATE RESOLUTION NO. 979

Offered by Senator Anderson and all Senators:  
Mourns the death of Timmothy Rexroth.

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

## REPORTS FROM STANDING COMMITTEES

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

Motion to Concur in House Amendment No. 2 to Senate Bill 3682; Motion to Concur in House Amendment No. 1 to Senate Bill 3853; Motion to Concur in House Amendment No. 1 to Senate Bill 4006

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

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Joint Resolution No. 54**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 54** was placed on the Secretary's Desk.

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

Motion to Concur in House Amendment No. 1 to Senate Bill 1099; Motion to Concur in House Amendment No. 2 to Senate Bill 1405; Motion to Concur in House Amendment No. 3 to Senate Bill 1486

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bill No. 4647**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator 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. 1 to House Bill 246  
 Senate Amendment No. 1 to House Bill 2380  
 Senate Amendment No. 1 to House Bill 4215  
 Senate Amendment No. 1 to House Bill 4608  
 Senate Amendment No. 2 to House Bill 5012  
 Senate Amendment No. 3 to House Bill 5283

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

## INTRODUCTION OF BILL

**SENATE BILL NO. 4207.** Introduced by Senator Connor, a bill for AN ACT concerning education.

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

## READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Connor, **House Bill No. 3823** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **House Bill No. 4215** having been printed, was taken up and read by title a second time.

Senator Villa offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 4215**

AMENDMENT NO. 1. Amend House Bill 4215 by replacing everything after the enacting clause with the following:

"Section 5. The Victims' Economic Security and Safety Act is amended by changing Sections 10 and 20 as follows:

(820 ILCS 180/10)

Sec. 10. Definitions. In this Act, except as otherwise expressly provided:

(1) "Commerce" includes trade, traffic, commerce, transportation, or communication; and "industry or activity affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and includes "commerce" and any "industry affecting commerce".

(2) "Course of conduct" means a course of repeatedly maintaining a visual or physical proximity to a person or conveying oral or written threats, including threats conveyed through electronic communications, or threats implied by conduct.

(2.5) "Crime of violence" means any conduct proscribed by Articles 9, 11, 12, 26.5, 29D, and 33A of the Criminal Code of 2012 or a similar provision of the Criminal Code of 1961, in addition to conduct proscribed by Articles of the Criminal Code of 2012 referenced in other definitions in this Section.

(3) "Department" means the Department of Labor.

(4) "Director" means the Director of Labor.

(5) "Domestic violence, sexual violence, or gender violence" means domestic violence, sexual assault, gender violence, or stalking.

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

(7) "Electronic communications" includes communications via telephone, mobile phone, computer, e-mail, video recorder, fax machine, telex, pager, online platform (including, but not limited to, any public-facing website, web application, digital application, or social network), or any other electronic communication, as defined in Section 12-7.5 of the Criminal Code of 2012.

(8) "Employ" includes to suffer or permit to work.

(9) Employee.

(A) In general. "Employee" means any person employed by an employer.

(B) Basis. "Employee" includes a person employed as described in subparagraph (A) on a full or part-time basis, or as a participant in a work assignment as a condition of receipt of federal or State income-based public assistance.

(10) "Employer" means any of the following: (A) the State or any agency of the State; (B) any unit of local government or school district; or (C) any person that employs at least one employee.

(11) "Employment benefits" means all benefits provided or made available to employees by an employer, including group life insurance, health insurance, disability insurance, sick leave, annual leave, educational benefits, pensions, and profit-sharing, regardless of whether such benefits are provided by a practice or written policy of an employer or through an "employee benefit plan". "Employee benefit plan" or "plan" means an employee welfare benefit plan or an employee pension benefit plan or a plan which is both an employee welfare benefit plan and an employee pension benefit plan.

(12) "Family or household member", for employees with a family or household member who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence, means a spouse or party to a civil union, parent, grandparent, child, grandchild, sibling, or any other person related by blood or by present or prior marriage or civil union, other person who shares a relationship through a child, or any other individual whose close association with the employee is the equivalent of a family relationship as determined by the employee, and persons jointly residing in the same household.

(12.3) "First responder" means a fire department, fire protection district, law enforcement agency, law enforcement official, or emergency medical technician.

(12.5) "Gender violence" means:



(A) one or more acts of violence or aggression satisfying the elements of any criminal offense under the laws of this State that are committed, at least in part, on the basis of a person's actual or perceived sex or gender, regardless of whether the acts resulted in criminal charges, prosecution, or conviction;

(B) a physical intrusion or physical invasion of a sexual nature under coercive conditions satisfying the elements of any criminal offense under the laws of this State, regardless of whether the intrusion or invasion resulted in criminal charges, prosecution, or conviction; or

(C) a threat of an act described in item (A) or (B) causing a realistic apprehension that the originator of the threat will commit the act.

(13) (Blank).

(14) "Perpetrator" means an individual who commits or is alleged to have committed any act or threat of domestic violence, sexual violence, gender violence, or any other crime of violence.

(15) "Person" means an individual, partnership, association, corporation, business trust, legal representative, or any organized group of persons.

(16) "Public agency" means the Government of the State or political subdivision thereof; any agency of the State, or of a political subdivision of the State; or any governmental agency.

(17) "Public assistance" includes cash, food stamps, medical assistance, housing assistance, and other benefits provided on the basis of income by a public agency or public employer.

(18) "Reduced work schedule" means a work schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

(19) "Repeatedly" means on 2 or more occasions.

(20) "Sexual assault" means any conduct proscribed by: (i) Article 11 of the Criminal Code of 2012 except Sections 11-35 and 11-45; (ii) Sections 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 2012; or (iii) a similar provision of the Criminal Code of 1961.

(20.5) "Sexual violence" means sexual assault.

(21) "Stalking" means any conduct proscribed by the Criminal Code of 1961 or the Criminal Code of 2012 in Sections 12-7.3, 12-7.4, and 12-7.5.

(22) "Victim" or "survivor" means an individual who has been subjected to domestic violence, sexual violence, gender violence, or any other crime of violence. "Victim" also includes any person described as a victim, as defined under Section 2 of the Crime Victims Compensation Act.

(23) "Victim services organization" means a nonprofit, nongovernmental organization that provides assistance to victims of domestic violence, sexual violence, gender violence, or any other crime of violence or to advocates for such victims, including a rape crisis center, an organization carrying out a domestic violence program, an organization operating a shelter or providing counseling services, or a legal services organization or other organization providing assistance through the legal process.

(Source: P.A. 101-221, eff. 1-1-20; 102-487, eff. 1-1-22.)

(820 ILCS 180/20)

Sec. 20. Entitlement to leave due to domestic violence, sexual violence, gender violence, or any other crime of violence.

(a) Leave requirement.

(1) Basis. An employee who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence or an employee who has a family or household member who is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, gender violence, or any other crime of violence may take unpaid leave from work if the employee or employee's family or household member is experiencing an incident of domestic violence, sexual violence, gender violence, or any other crime of violence or to address domestic violence, sexual violence, gender violence, or any other crime of violence by:

(A) seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic violence, sexual violence, gender violence, or any other crime of violence to the employee or the employee's family or household member;

(B) obtaining services from a victim services organization for the employee or the employee's family or household member;

(C) obtaining psychological or other counseling for the employee or the employee's family or household member;

(D) participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic violence, sexual violence, gender violence, or any other crime of violence or ensure economic security; ~~or~~

(E) seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual violence, gender violence, or any other crime of violence; ~~or~~

(F) attending the funeral or alternative to a funeral or wake of a family or household member who is killed in a crime of violence;

(G) making arrangements necessitated by the death of a family or household member who is killed in a crime of violence;

(H) grieving the death of a family or household member who is killed in a crime of violence; or

(I) attending the funeral or alternative to a funeral or wake of a first responder who died in the line of duty or as a result of a crime of violence.

(2) Period. Subject to subsection (c) and except as provided in paragraph (4) of this subsection, an employee working for an employer that employs at least 50 employees shall be entitled to a total of 12 workweeks of leave during any 12-month period. Subject to subsection (c) and except as provided in paragraph (4) of this subsection, an employee working for an employer that employs at least 15 but not more than 49 employees shall be entitled to a total of 8 workweeks of leave during any 12-month period. Subject to subsection (c) and except as provided in paragraph (4) of this subsection, an employee working for an employer that employs at least one but not more than 14 employees shall be entitled to a total of 4 workweeks of leave during any 12-month period. The total number of workweeks to which an employee is entitled shall not decrease during the relevant 12-month period. This Act does not create a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

(3) Schedule. Leave described in paragraph (1) may be taken consecutively, intermittently, or on a reduced work schedule.

(4) Exceptions. An employee shall be entitled to a total of not more than 2 workweeks (10 work days) of unpaid leave for the purposes described in subparagraphs (F), (G), and (H) of paragraph (1), which must be completed within 60 days after the death of the victim. Unpaid leave time taken for these purposes shall be counted toward, and is not in addition to, the total leave time an employee is entitled to under paragraph (2). If the employee is also entitled to bereavement leave relating to the deceased victim under the Child Bereavement Leave Act, leave time taken under this Act for the purposes described in subparagraphs (F), (G), and (H) of paragraph (1) shall be counted toward, and is not in addition to, the leave time an employee is entitled to under the Child Bereavement Leave Act.

(b) Notice. The employee shall provide the employer with at least 48 hours' advance notice of the employee's intention to take the leave, unless providing such notice is not practicable. When an unscheduled absence occurs, the employer may not take any action against the employee if the employee, upon request of the employer and within a reasonable period after the absence, provides certification under subsection (c).

(c) Certification.

(1) In general. The employer may require the employee to provide certification to the employer that:

(A) the employee or the employee's family or household member is a victim of domestic violence, sexual violence, gender violence, or any other crime of violence; and

(B) the leave is for one of the purposes enumerated in paragraph (a)(1).

The employee shall provide such certification to the employer within a reasonable period after the employer requests certification.

(2) Contents. An employee may satisfy the certification requirement of paragraph (1) by providing to the employer a sworn statement of the employee, and if the employee has possession of such document, the employee shall provide one of the following documents:

(A) documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in

addressing domestic violence, sexual violence, gender violence, or any other crime of violence and the effects of the violence;

(B) a police or court record; or

(C) other corroborating evidence.

The employee shall choose which document to submit, and the employer shall not request or require more than one document to be submitted during the same 12-month period leave is requested or taken if the reason for leave is related to the same incident or incidents of violence or the same perpetrator or perpetrators of the violence.

(d) Confidentiality. All information provided to the employer pursuant to subsection (b) or (c), including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee has requested or obtained leave pursuant to this Section, shall be retained in the strictest confidence by the employer, except to the extent that disclosure is:

(1) requested or consented to in writing by the employee; or

(2) otherwise required by applicable federal or State law.

(e) Employment and benefits.

(1) Restoration to position.

(A) In general. Any employee who takes leave under this Section for the intended purpose of the leave shall be entitled, on return from such leave:

(i) to be restored by the employer to the position of employment held by the employee when the leave commenced; or

(ii) to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

(B) Loss of benefits. The taking of leave under this Section shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

(C) Limitations. Nothing in this subsection shall be construed to entitle any restored employee to:

(i) the accrual of any seniority or employment benefits during any period of leave;

or

(ii) any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave.

(D) Construction. Nothing in this paragraph shall be construed to prohibit an employer from requiring an employee on leave under this Section to report periodically to the employer on the status and intention of the employee to return to work.

(2) Maintenance of health benefits.

(A) Coverage. Except as provided in subparagraph (B), during any period that an employee takes leave under this Section, the employer shall maintain coverage for the employee and any family or household member under any group health plan for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

(B) Failure to return from leave. The employer may recover the premium that the employer paid for maintaining coverage for the employee and the employee's family or household member under such group health plan during any period of leave under this Section if:

(i) the employee fails to return from leave under this Section after the period of leave to which the employee is entitled has expired; and

(ii) the employee fails to return to work for a reason other than:

(I) the continuation, recurrence, or onset of domestic violence, sexual violence, gender violence, or any other crime of violence that entitles the employee to leave pursuant to this Section; or

(II) other circumstances beyond the control of the employee.

(C) Certification.

(i) Issuance. An employer may require an employee who claims that the employee is unable to return to work because of a reason described in subclause (I) or (II) of subparagraph (B)(ii) to provide, within a reasonable period after making the claim,

certification to the employer that the employee is unable to return to work because of that reason.

(ii) Contents. An employee may satisfy the certification requirement of clause (i) by providing to the employer:

(I) a sworn statement of the employee;

(II) documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional from whom the employee has sought assistance in addressing domestic violence, sexual violence, gender violence, or any other crime of violence and the effects of that violence;

(III) a police or court record; or

(IV) other corroborating evidence.

The employee shall choose which document to submit, and the employer shall not request or require more than one document to be submitted.

(D) Confidentiality. All information provided to the employer pursuant to subparagraph (C), including a statement of the employee or any other documentation, record, or corroborating evidence, and the fact that the employee is not returning to work because of a reason described in subclause (I) or (II) of subparagraph (B)(ii) shall be retained in the strictest confidence by the employer, except to the extent that disclosure is:

(i) requested or consented to in writing by the employee; or

(ii) otherwise required by applicable federal or State law.

(f) Prohibited acts.

(1) Interference with rights.

(A) Exercise of rights. It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under this Section.

(B) Employer discrimination. It shall be unlawful for any employer to discharge or harass any individual, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment of the individual (including retaliation in any form or manner) because the individual:

(i) exercised any right provided under this Section; or

(ii) opposed any practice made unlawful by this Section.

(C) Public agency sanctions. It shall be unlawful for any public agency to deny, reduce, or terminate the benefits of, otherwise sanction, or harass any individual, or otherwise discriminate against any individual with respect to the amount, terms, or conditions of public assistance of the individual (including retaliation in any form or manner) because the individual:

(i) exercised any right provided under this Section; or

(ii) opposed any practice made unlawful by this Section.

(2) Interference with proceedings or inquiries. It shall be unlawful for any person to discharge or in any other manner discriminate (as described in subparagraph (B) or (C) of paragraph (1)) against any individual because such individual:

(A) has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to this Section;

(B) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Section; or

(C) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Section.

(Source: P.A. 101-221, eff. 1-1-20; 102-487, eff. 1-1-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator D. Turner, **House Bill No. 4451** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 4646** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 5035** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 2380** having been printed, was taken up and read by title a second time.

Senator Castro offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 2380**

AMENDMENT NO. 1 . Amend House Bill 2380 by replacing everything after the enacting clause with the following:

"Section 5. The Compassionate Use of Medical Cannabis Program Act is amended by changing Section 10 and by adding Section 103 as follows:

(410 ILCS 130/10)

Sec. 10. Definitions. The following terms, as used in this Act, shall have the meanings set forth in this Section:

(a) "Adequate supply" means:

(1) 2.5 ounces of usable cannabis during a period of 14 days and that is derived solely from an intrastate source.

(2) Subject to the rules of the Department of Public Health, a patient may apply for a waiver where a certifying health care professional provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the certifying health care professional's professional judgment, 2.5 ounces is an insufficient adequate supply for a 14-day period to properly alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

(3) This subsection may not be construed to authorize the possession of more than 2.5 ounces at any time without authority from the Department of Public Health.

(4) The pre-mixed weight of medical cannabis used in making a cannabis infused product shall apply toward the limit on the total amount of medical cannabis a registered qualifying patient may possess at any one time.

(a-5) "Advanced practice registered nurse" means a person who is licensed under the Nurse Practice Act as an advanced practice registered nurse and has a controlled substances license under Article III of the Illinois Controlled Substances Act.

(b) "Cannabis" has the meaning given that term in Section 3 of the Cannabis Control Act.

(c) "Cannabis plant monitoring system" means a system that includes, but is not limited to, testing and data collection established and maintained by the registered cultivation center and available to the Department for the purposes of documenting each cannabis plant and for monitoring plant development throughout the life cycle of a cannabis plant cultivated for the intended use by a qualifying patient from seed planting to final packaging.

(d) "Cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Department of Public Health.

(d-5) "Certifying health care professional" means a physician, an advanced practice registered nurse, or a physician assistant.

(e) "Cultivation center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

(f) "Cultivation center agent" means a principal officer, board member, employee, or agent of a registered cultivation center who is 21 years of age or older and has not been convicted of an excluded offense.

(g) "Cultivation center agent identification card" means a document issued by the Department of Agriculture that identifies a person as a cultivation center agent.

(h) "Debilitating medical condition" means one or more of the following:

(1) cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease (including, but not limited to, ulcerative colitis), agitation of Alzheimer's disease, cachexia/wasting syndrome, muscular dystrophy, severe fibromyalgia, spinal cord disease, including but not limited to arachnoiditis, Tarlov cysts, hydromyelia, syringomyelia, Rheumatoid arthritis, fibrous dysplasia, spinal cord injury, traumatic brain injury and post-concussion syndrome, Multiple Sclerosis, Arnold-Chiari malformation and Syringomyelia, Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's, Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD (Complex Regional Pain Syndromes Type I), Causalgia, CRPS (Complex Regional Pain Syndromes Type II), Neurofibromatosis, Chronic Inflammatory Demyelinating Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella syndrome, residual limb pain, seizures (including those characteristic of epilepsy), post-traumatic stress disorder (PTSD), autism, chronic pain, irritable bowel syndrome, migraines, osteoarthritis, anorexia nervosa, Ehlers-Danlos Syndrome, Neuro-Behcet's Autoimmune Disease, neuropathy, polycystic kidney disease, superior canal dehiscence syndrome, or the treatment of these conditions;

(1.5) terminal illness with a diagnosis of 6 months or less; if the terminal illness is not one of the qualifying debilitating medical conditions, then the certifying health care professional shall on the certification form identify the cause of the terminal illness; or

(2) any other debilitating medical condition or its treatment that is added by the Department of Public Health by rule as provided in Section 45.

(i) "Designated caregiver" means a person who: (1) is at least 21 years of age; (2) has agreed to assist with a patient's medical use of cannabis; (3) has not been convicted of an excluded offense; and (4) assists no more than one registered qualifying patient with his or her medical use of cannabis.

(j) "Dispensing organization agent identification card" means a document issued by the Department of Financial and Professional Regulation that identifies a person as a ~~medical cannabis~~ dispensing organization agent, as that term is defined under Section 1-10 of the Cannabis Regulation and Tax Act.

(k) "Enclosed, locked facility" means a room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the registered cultivation center or the registered dispensing organization to cultivate, store, and distribute cannabis for registered qualifying patients.

(l) "Excluded offense" for cultivation center agents and dispensing organizations means:

(1) a violent crime defined in Section 3 of the Rights of Crime Victims and Witnesses Act or a substantially similar offense that was classified as a felony in the jurisdiction where the person was convicted; or

(2) a violation of a state or federal controlled substance law, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act that was classified as a felony in the jurisdiction where the person was convicted, except that the registering Department may waive this restriction if the person demonstrates to the registering Department's satisfaction that his or her conviction was for the possession, cultivation, transfer, or delivery of a reasonable amount of cannabis intended for medical use. This exception does not apply if the conviction was under state law and involved a violation of an existing medical cannabis law.

For purposes of this subsection, the Department of Public Health shall determine by emergency rule within 30 days after the effective date of this amendatory Act of the 99th General Assembly what constitutes a "reasonable amount".

(1-5) (Blank).

(1-10) "Illinois Cannabis Tracking System" means a web-based system established and maintained by the Department of Public Health that is available to the Department of Agriculture, the Department of Financial and Professional Regulation, the Illinois State Police, and registered medical cannabis dispensing organizations on a 24-hour basis to upload written certifications for Opioid Alternative Pilot Program participants, to verify Opioid Alternative Pilot Program participants, to verify Opioid Alternative Pilot Program participants' available cannabis allotment and assigned dispensary, and the tracking of the date of sale, amount, and price of medical cannabis purchased by an Opioid Alternative Pilot Program participant.

(m) "Medical cannabis cultivation center registration" means a registration issued by the Department of Agriculture.

(n) "Medical cannabis container" means a sealed, traceable, food compliant, tamper resistant, tamper evident container, or package used for the purpose of containment of medical cannabis from a cultivation center to a dispensing organization.

(o) "Medical cannabis dispensing organization", or "dispensing organization", or "dispensary organization" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, individuals with a provisional registration for qualifying patient cardholder status, or an Opioid Alternative Pilot Program participant.

(p) "Medical cannabis dispensing organization agent" or "dispensing organization agent" means a principal officer, board member, employee, or agent of a registered medical cannabis dispensing organization who is 21 years of age or older and has not been convicted of an excluded offense.

(q) "Medical cannabis infused product" means food, oils, ointments, or other products containing usable cannabis that are not smoked.

(r) "Medical use" means the acquisition; administration; delivery; possession; transfer; transportation; or use of cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

(r-5) "Opioid" means a narcotic drug or substance that is a Schedule II controlled substance under paragraph (1), (2), (3), or (5) of subsection (b) or under subsection (c) of Section 206 of the Illinois Controlled Substances Act.

(r-10) "Opioid Alternative Pilot Program participant" means an individual who has received a valid written certification to participate in the Opioid Alternative Pilot Program for a medical condition for which an opioid has been or could be prescribed by a certifying health care professional based on generally accepted standards of care.

(s) "Physician" means a doctor of medicine or doctor of osteopathy licensed under the Medical Practice Act of 1987 to practice medicine and who has a controlled substances license under Article III of the Illinois Controlled Substances Act. It does not include a licensed practitioner under any other Act including but not limited to the Illinois Dental Practice Act.

(s-1) "Physician assistant" means a physician assistant licensed under the Physician Assistant Practice Act of 1987 and who has a controlled substances license under Article III of the Illinois Controlled Substances Act.

(s-5) "Provisional registration" means a document issued by the Department of Public Health to a qualifying patient who has submitted: (1) an online application and paid a fee to participate in Compassionate Use of Medical Cannabis Program pending approval or denial of the patient's application; or (2) a completed application for terminal illness.

(t) "Qualifying patient" means a person who has been diagnosed by a certifying health care professional as having a debilitating medical condition.

(u) "Registered" means licensed, permitted, or otherwise certified by the Department of Agriculture, Department of Public Health, or Department of Financial and Professional Regulation.

(v) "Registry identification card" means a document issued by the Department of Public Health that identifies a person as a registered qualifying patient or registered designated caregiver.

(w) "Usable cannabis" means the seeds, leaves, buds, and flowers of the cannabis plant and any mixture or preparation thereof, but does not include the stalks, and roots of the plant. It does not include the weight of any non-cannabis ingredients combined with cannabis, such as ingredients added to prepare a topical administration, food, or drink.

(x) "Verification system" means a Web-based system established and maintained by the Department of Public Health that is available to the Department of Agriculture, the Department of Financial and Professional Regulation, law enforcement personnel, and registered medical cannabis dispensing organization agents on a 24-hour basis for the verification of registry identification cards, the tracking of delivery of medical cannabis to medical cannabis dispensing organizations, and the tracking of the date of sale, amount, and price of medical cannabis purchased by a registered qualifying patient.

(y) "Written certification" means a document dated and signed by a certifying health care professional, stating (1) that the qualifying patient has a debilitating medical condition and specifying the debilitating medical condition the qualifying patient has; and (2) that (A) the certifying health care professional is treating or managing treatment of the patient's debilitating medical condition; or (B) an Opioid Alternative Pilot Program participant has a medical condition for which opioids have been or could

be prescribed. A written certification shall be made only in the course of a bona fide health care professional-patient relationship, after the certifying health care professional has completed an assessment of either a qualifying patient's medical history or Opioid Alternative Pilot Program participant, reviewed relevant records related to the patient's debilitating condition, and conducted a physical examination.

(z) "Bona fide health care professional-patient relationship" means a relationship established at a hospital, certifying health care professional's office, or other health care facility in which the certifying health care professional has an ongoing responsibility for the assessment, care, and treatment of a patient's debilitating medical condition or a symptom of the patient's debilitating medical condition.

A veteran who has received treatment at a VA hospital shall be deemed to have a bona fide health care professional-patient relationship with a VA certifying health care professional if the patient has been seen for his or her debilitating medical condition at the VA Hospital in accordance with VA Hospital protocols.

A bona fide health care professional-patient relationship under this subsection is a privileged communication within the meaning of Section 8-802 of the Code of Civil Procedure.

(Source: P.A. 100-1114, eff. 8-28-18; 101-363, eff. 8-9-19.)

(410 ILCS 130/103 new)

Sec. 103. Cultivation center agent identification cards. The Department of Agriculture shall follow the requirements set forth in Section 20-35 of the Cannabis Regulation and Tax Act regarding the administration of cultivation center agent identification cards under this Act.

Section 10. The Cannabis Regulation and Tax Act is amended by adding Section 5-22 and by changing Section 15-40 as follows:

(410 ILCS 705/5-22 new)

Sec. 5-22. Identification cards. The Department of Agriculture and the Department of Financial and Professional Regulation shall issue all identification cards under this Act via an online application portal.

(410 ILCS 705/15-40)

Sec. 15-40. Dispensing organization agent identification card; agent training.

(a) The Department shall:

(1) verify the information contained in an application or renewal for a dispensing organization agent identification card submitted under this Article, and approve or deny an application or renewal, within 30 days of receiving a completed application or renewal application and all supporting documentation required by rule;

(2) issue a dispensing organization agent identification card to a qualifying agent within 15 business days of approving the application or renewal;

(3) enter the registry identification number of the dispensing organization where the agent works;

(4) within one year from the effective date of this Act, allow for an electronic application process and provide a confirmation by electronic or other methods that an application has been submitted; and

(5) collect a \$100 nonrefundable fee from the applicant to be deposited into the Cannabis Regulation Fund.

(b) A dispensing organization agent must keep his or her identification card visible at all times when in the dispensary.

(c) The dispensing organization agent identification cards shall contain the following:

(1) the name of the cardholder;

(2) the date of issuance and expiration date of the dispensing organization agent identification cards;

(3) a random 10-digit alphanumeric identification number containing at least 4 numbers and at least 4 letters that is unique to the cardholder; and

(4) a photograph of the cardholder.

(d) The dispensing organization agent identification cards shall be immediately returned to the dispensing organization upon termination of employment.

(e) The Department shall not issue an agent identification card if the applicant is delinquent in filing any required tax returns or paying any amounts owed to the State of Illinois.

(f) Any card lost by a dispensing organization agent shall be reported to the Illinois State Police and the Department immediately upon discovery of the loss.



(g) An applicant shall be denied a dispensing organization agent identification card renewal if he or she fails to complete the training provided for in this Section.

(h) A dispensing organization agent shall only be required to hold one card for the same employer regardless of what type of dispensing organization license the employer holds.

(i) Cannabis retail sales training requirements.

(1) Within 90 days of September 1, 2019, or 90 days of employment, whichever is later, all owners, managers, employees, and agents involved in the handling or sale of cannabis or cannabis-infused product employed by an adult use dispensing organization or medical cannabis dispensing organization as defined in Section 10 of the Compassionate Use of Medical Cannabis Program Act shall attend and successfully complete a Responsible Vendor Program.

(2) Each owner, manager, employee, and agent of an adult use dispensing organization or medical cannabis dispensing organization shall successfully complete the program annually.

(3) Responsible Vendor Program Training modules shall include at least 2 hours of instruction time approved by the Department including:

(i) Health and safety concerns of cannabis use, including the responsible use of cannabis, its physical effects, onset of physiological effects, recognizing signs of impairment, and appropriate responses in the event of overconsumption.

(ii) Training on laws and regulations on driving while under the influence and operating a watercraft or snowmobile while under the influence.

(iii) Sales to minors prohibition. Training shall cover all relevant Illinois laws and rules.

(iv) Quantity limitations on sales to purchasers. Training shall cover all relevant Illinois laws and rules.

(v) Acceptable forms of identification. Training shall include:

(I) How to check identification; and

(II) Common mistakes made in verification;

(vi) Safe storage of cannabis;

(vii) Compliance with all inventory tracking system regulations;

(viii) Waste handling, management, and disposal;

(ix) Health and safety standards;

(x) Maintenance of records;

(xi) Security and surveillance requirements;

(xii) Permitting inspections by State and local licensing and enforcement authorities;

(xiii) Privacy issues;

(xiv) Packaging and labeling requirement for sales to purchasers; and

(xv) Other areas as determined by rule.

(j) Blank.

(k) Upon the successful completion of the Responsible Vendor Program, the provider shall deliver proof of completion either through mail or electronic communication to the dispensing organization, which shall retain a copy of the certificate.

(l) The license of a dispensing organization or medical cannabis dispensing organization whose owners, managers, employees, or agents fail to comply with this Section may be suspended or permanently revoked under Section 15-145 or may face other disciplinary action.

(m) The regulation of dispensing organization and medical cannabis dispensing employer and employee training is an exclusive function of the State, and regulation by a unit of local government, including a home rule unit, is prohibited. This subsection (m) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(n) Persons seeking Department approval to offer the training required by paragraph (3) of subsection (i) may apply for such approval between August 1 and August 15 of each odd-numbered year in a manner prescribed by the Department.

(o) Persons seeking Department approval to offer the training required by paragraph (3) of subsection (i) shall submit a nonrefundable application fee of \$2,000 to be deposited into the Cannabis Regulation Fund or a fee as may be set by rule. Any changes made to the training module shall be approved by the Department.

(p) The Department shall not unreasonably deny approval of a training module that meets all the requirements of paragraph (3) of subsection (i). A denial of approval shall include a detailed description of the reasons for the denial.

(q) Any person approved to provide the training required by paragraph (3) of subsection (i) shall submit an application for re-approval between August 1 and August 15 of each odd-numbered year and include a nonrefundable application fee of \$2,000 to be deposited into the Cannabis Regulation Fund or a fee as may be set by rule.

(r) All persons applying to become or renewing their registrations to be agents, including agents-in-charge and principal officers, shall disclose any disciplinary action taken against them that may have occurred in Illinois, another state, or another country in relation to their employment at a cannabis business establishment or at any cannabis cultivation center, processor, infuser, dispensary, or other cannabis business establishment.

(s) An agent applicant may begin employment at a dispensing organization while the agent applicant's identification card application is pending. Upon approval, the Department shall issue the agent's identification card to the agent. If denied, the dispensing organization and the agent applicant shall be notified and the agent applicant must cease all activity at the dispensing organization immediately.

(t) All notifications of acceptance or denial for applications under this Section shall be sent directly to the agent applicant.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-98, eff. 7-15-21; 102-538, eff. 8-20-21; revised 10-12-21.)

(410 ILCS 130/100 rep.)

(410 ILCS 130/120 rep.)

Section 20. The Compassionate Use of Medical Cannabis Program Act is amended by repealing Sections 100 and 120."

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.

On motion of Senator Castro, **House Bill No. 4647** 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 4647**

AMENDMENT NO. 1. Amend House Bill 4647 by replacing everything after the enacting clause with the following:

"Section 5. The ID/DD Community Care Act is amended by changing Section 3-213 as follows:

(210 ILCS 47/3-213)

Sec. 3-213. Periodic reports to Department.

(a) The Department shall require periodic reports and shall have access to and may reproduce or photocopy at its cost any books, records, and other documents maintained by the facility to the extent necessary to carry out this Act and the rules promulgated under this Act. The Department shall not divulge or disclose the contents of a record under this Section in violation of Section 2-206 or as otherwise prohibited by this Act.

(b) The Department shall require a licensee to submit an annual report to the Department certifying that all legislatively or administratively mandated wage increases to benefit workers are passed through in accordance with the legislative or administrative mandate. Failure to report the information required under this Section shall result in appropriate enforcement action by the Department. The Department shall determine the manner and form of the annual report.

(Source: P.A. 96-339, eff. 7-1-10.)

Section 10. The Community-Integrated Living Arrangements Licensure and Certification Act is amended by changing Section 4 as follows:

(210 ILCS 135/4) (from Ch. 91 1/2, par. 1704)

Sec. 4. (a) Any community mental health or developmental services agency who wishes to develop and support a variety of community-integrated living arrangements may do so pursuant to a license issued by the Department under this Act. However, programs established under or otherwise subject to the Child

Care Act of 1969, the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act, as now or hereafter amended, shall remain subject thereto, and this Act shall not be construed to limit the application of those Acts.

(b) The system of licensure established under this Act shall be for the purposes of:

(1) ensuring that all recipients residing in community-integrated living arrangements are receiving appropriate community-based services, including treatment, training and habilitation or rehabilitation;

(2) ensuring that recipients' rights are protected and that all programs provided to and placements arranged for recipients comply with this Act, the Mental Health and Developmental Disabilities Code, and applicable Department rules and regulations;

(3) maintaining the integrity of communities by requiring regular monitoring and inspection of placements and other services provided in community-integrated living arrangements.

The licensure system shall be administered by a quality assurance unit within the Department which shall be administratively independent of units responsible for funding of agencies or community services.

(c) As a condition of being licensed by the Department as a community mental health or developmental services agency under this Act, the agency shall certify to the Department that:

(1) all recipients residing in community-integrated living arrangements are receiving appropriate community-based services, including treatment, training and habilitation or rehabilitation;

(2) all programs provided to and placements arranged for recipients are supervised by the agency; and

(3) all programs provided to and placements arranged for recipients comply with this Act, the Mental Health and Developmental Disabilities Code, and applicable Department rules and regulations.

(c-5) Each developmental services agency licensed under this Act shall submit an annual report to the Department, as a contractual requirement between the Department and the developmental services agency, certifying that all legislatively or administratively mandated wage increases to benefit workers are passed through in accordance with the legislative or administrative mandate. The Department shall determine the manner and form of the annual report.

(d) An applicant for licensure as a community mental health or developmental services agency under this Act shall submit an application pursuant to the application process established by the Department by rule and shall pay an application fee in an amount established by the Department, which amount shall not be more than \$200.

(e) If an applicant meets the requirements established by the Department to be licensed as a community mental health or developmental services agency under this Act, after payment of the licensing fee, the Department shall issue a license valid for 3 years from the date thereof unless suspended or revoked by the Department or voluntarily surrendered by the agency.

(f) Upon application to the Department, the Department may issue a temporary permit to an applicant for up to a 2-year period to allow the holder of such permit reasonable time to become eligible for a license under this Act.

(g)(1) The Department may conduct site visits to an agency licensed under this Act, or to any program or placement certified by the agency, and inspect the records or premises, or both, of such agency, program or placement as it deems appropriate, for the purpose of determining compliance with this Act, the Mental Health and Developmental Disabilities Code, and applicable Department rules and regulations. The Department shall conduct inspections of the records and premises of each community-integrated living arrangement certified under this Act at least once every 2 years.

(2) If the Department determines that an agency licensed under this Act is not in compliance with this Act or the rules and regulations promulgated under this Act, the Department shall serve a notice of violation upon the licensee. Each notice of violation shall be prepared in writing and shall specify the nature of the violation, the statutory provision or rule alleged to have been violated, and that the licensee submit a plan of correction to the Department if required. The notice shall also inform the licensee of any other action which the Department might take pursuant to this Act and of the right to a hearing.

(g-5) As determined by the Department, a disproportionate number or percentage of licensure complaints; a disproportionate number or percentage of substantiated cases of abuse, neglect, or exploitation involving an agency; an apparent unnatural death of an individual served by an agency; any egregious or life-threatening abuse or neglect within an agency; or any other significant event as determined by the Department shall initiate a review of the agency's license by the Department, as well as a review of its

service agreement for funding. The Department shall adopt rules to establish the process by which the determination to initiate a review shall be made and the timeframe to initiate a review upon the making of such determination.

(h) Upon the expiration of any license issued under this Act, a license renewal application shall be required of and a license renewal fee in an amount established by the Department shall be charged to a community mental health or developmental services agency, provided that such fee shall not be more than \$200.

(i) A public or private agency, association, partnership, corporation, or organization that has had a license revoked under subsection (b) of Section 6 of this Act may not apply for or possess a license under a different name.

(Source: P.A. 99-180, eff. 7-29-15; 100-58, eff. 8-11-17; 100-313, eff. 8-24-17; 100-863, eff. 8-14-18.)".

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 Belt, **House Bill No. 4326** 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 59; NAYS None.

The following voted in the affirmative:

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

On motion of Senator Glowiak Hilton, **House Bill No. 4783** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Martwick	Stewart
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[April 6, 2022]

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

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

### HOUSE BILL RECALLED

On motion of Senator Castro, **House Bill No. 5012** was recalled from the order of third reading to the order of second reading.

Senator Castro offered the following amendment and moved its adoption:

#### AMENDMENT NO. 2 TO HOUSE BILL 5012

AMENDMENT NO. 2. Amend House Bill 5012 by replacing everything after the enacting clause with the following:

"Section 5. The Licensed Certified Professional Midwife Practice Act is amended by changing Sections 10, 30, 40, 55, 90, 125, 130, and 150 as follows:

(225 ILCS 64/10)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 10. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's application file or the licensee's licensure file as maintained by the Department.

"Antepartum" means before labor or childbirth.

"Board" means the Illinois Midwifery Board.

"Certified nurse midwife" means an individual licensed under the Nurse Practice Act as an advanced practice registered nurse and is certified as a nurse midwife.

"Client" means a childbearing individual or newborn for whom a licensed certified professional midwife provides services.

"Consultation" means the process by which a licensed certified professional midwife seeks the advice or opinion of another health care professional.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address of record by the Department in the applicant's application file or the licensee's licensure file as maintained by the Department.

"Health care professional" means an advanced practice registered nurse or a physician licensed to practice medicine in all of its branches.

"Intrapartum" means during labor and delivery or childbirth.

"Licensed certified professional midwife" means a person who has successfully met the requirements under Section 45 of this Act and has been licensed by the Department.

"Low-risk" means a low-risk pregnancy where there is an absence of any preexisting maternal disease, significant disease arising from the pregnancy, or any condition likely to affect the pregnancy, including, but not limited to, those listed in Section 85.

"Midwife assistant" means a person, at least 18 years of age, who performs basic administrative, clerical, and supportive services under the supervision of a certified professional midwife, is educated to provide both basic and emergency care to newborns and mothers during labor, delivery, and immediately postpartum, and who maintains Neonatal Resuscitation Program provider status and cardiopulmonary resuscitation certification.

"Midwifery bridge certificate" means a certificate issued by the North American Registry of Midwives that documents completion of accredited continuing education for certified professional midwives based upon identified areas to address education in emergency skills and other competencies set by the international confederation of midwives.

"Midwifery Education and Accreditation Council" or "MEAC" means the nationally recognized accrediting agency, or its successor, that establishes standards for the education of direct-entry midwives in the United States.

"National Association of Certified Professional Midwives" or "NACPM" means the professional organization, or its successor, that promotes the growth and development of the profession of certified professional midwives.

"North American Registry of Midwives" or "NARM" means the accredited international agency, or its successor organization, that has established and has continued to administer certification for the credentialing of certified professional midwives, including the administration of a national competency examination.

"Onset of care" means the initial prenatal visit upon an agreement between a licensed certified professional midwife and client to establish a midwife-client relationship, during which the licensed certified professional midwife may take a client's medical history, complete an exam, establish a client's record, or perform other services related to establishing care. "Onset of care" does not include an initial interview where information about the licensed certified professional midwife's practice is shared but no midwife-client relationship is established.

"Pediatric health care professional" means a licensed physician specializing in the care of children, a family practice physician, or an advanced practice registered nurse licensed under the Nurse Practice Act and certified as a Pediatric Nurse Practitioner or Family Nurse Practitioner.

"Physician" means a physician licensed under the Medical Practice Act of 1987 to practice medicine in all of its branches.

"Postpartum period" means the first 6 weeks after delivery.

"Practice of midwifery" means providing the necessary supervision, care, and advice to a client during a low-risk pregnancy, labor, and the postpartum period, including the intended low-risk delivery of a child, and providing normal newborn care. "Practice of midwifery" does not include the practice of medicine or nursing.

"Qualified midwife preceptor" means a licensed and experienced midwife or other health professional licensed in the State who participated in the clinical education of individuals enrolled in a midwifery education institution, program, or pathway accredited by the midwifery education accreditation council who meet the criteria for midwife preceptors by NARM or its successor organization.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Supportive services" means simple routine medical tasks and procedures for which the midwife assistant or student midwife is appropriately trained.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/30)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 30. Illinois Midwifery Board.

(a) There is created under the authority of the Department the Illinois Midwifery Board, which shall consist of 9 members appointed by the Secretary: 5 of whom shall be licensed certified professional midwives, with initial appointees having at least 3 years of experience in the practice of midwifery in an out-of-hospital setting, be certified by the North American Registry of Midwives, and meet the qualifications for licensure set forth in this Act; one of whom shall be an Illinois licensed physician who specializes in obstetrics; one of whom shall be an Illinois licensed advanced practice registered nurse who is

a certified nurse midwife who provides home birth services; one of whom shall be a pediatric health care professional; and one of whom shall be a public member. Board members shall serve 4-year terms, except that in the case of initial appointments, terms shall be staggered as follows: 4 members shall serve for 4 years, 3 members shall serve for 3 years, and 2 members shall serve for 2 years. The Board shall annually elect a chairperson and vice chairperson. All board members must be residents of this State. All board members, except for the public member, must be licensed in good standing and, at the time of appointment, actively engaged in their respective professions.

(b) Any appointment made to fill a vacancy shall be for the unexpired portion of the term. Appointments to fill vacancies shall be made in the same manner as original appointments. No Board member may be reappointed for a term that would cause his or her continuous service on the Board to exceed 10 years.

(c) Board membership must have a reasonable representation from different geographic areas of this State, if possible.

(d) The Secretary may solicit board recommendations from midwifery organizations.

(e) The members of the Board may be reimbursed for all legitimate, necessary, and authorized expenses incurred in attending the meetings of the Board.

(f) The Secretary may remove any member of the Board for misconduct, incapacity, or neglect of duty at any time prior to the expiration of his or her term.

(g) Five Board members shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to perform all of the duties of the Board.

(h) The Board may provide the Department with recommendations concerning the administration of this Act and may perform each of the following duties:

(1) Recommend to the Department the prescription and, from time to time, the revision of any rules that may be necessary to carry out the provisions of this Act, including those that are designed to protect the health, safety, and welfare of the public.

(2) Recommend changes to the medication formulary list as standards and drug availability change.

(3) Participate in disciplinary conferences and hearings.

(4) Make recommendations to the Department regarding disciplinary action taken against a licensee as provided under this Act.

(5) Recommend the approval, denial of approval, and withdrawal of approval of required education and continuing educational programs.

(i) Members of the Board shall be immune from suit in an action based upon a disciplinary proceeding or other activity performed in good faith as a member of the Board, except for willful or wanton misconduct.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/40)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 40. Use of title. No person may use the title "licensed midwife"; to describe or imply that he or she is a licensed midwife; or represent himself or herself as a licensed midwife unless the person is granted a license under this Act or is licensed as an advanced practice registered nurse with certification as a nurse midwife.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/55)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 55. Expiration; renewal of licensure. The expiration date and renewal period for each license issued under this Act shall be set by rule. The holder of a license may renew the license during the month preceding the expiration date of the license by paying the required fee. It is the responsibility of the licensee to notify the Department in writing of a change of address required for the renewal of a license under this Act. ~~Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.~~

The Department may adopt rules for continuing education for licensed certified professional midwives licensed under this Act that require 20 hours of continuing education per 2-year license renewal

cycle. The rules shall address variances in part or in whole for good cause, including without limitation, illness or hardship. The rules must ensure that licensees are given the opportunity to participate in programs sponsored by or through their State or national professional associations, hospitals, or other providers of continuing education. Each licensee is responsible for maintaining records of completion of continuing education and shall be prepared to produce the records when requested by the Department.

Any licensed certified professional midwife who has permitted his or her license to expire or who has had his or her license on inactive status may have the license restored by applying to the Department and filing proof acceptable to the Department of his or her fitness to have the license restored, and by paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction.

If the licensed certified professional midwife has not maintained an active practice in another jurisdiction satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of the license and shall establish procedures and requirements for such restoration.

However, any licensed certified professional midwife whose license expired while he or she was (1) in federal or State service on active duty, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the license restored without paying any lapsed renewal fees if, within 2 years after termination of such service, training, or education, he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training, or education has been terminated.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/90)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 90. Annual Reports.

(a) A licensed certified professional midwife shall annually report to the Department of Public Health, by no later than March 31 of each year, in a manner specified by the Department of Public Health, the following information regarding cases in which the licensed certified professional midwife assisted during the previous calendar year when the intended place of birth at the onset of care was an out-of-hospital setting:

(1) the total number of patients served at the onset of care;

(2) the number, by county, of live births attended;

(3) the number, by county, of cases of fetal demise, infant deaths, and maternal deaths attended at the discovery of the demise or death;

(4) the number of women whose care was transferred to another health care professional during the antepartum period and the reason for transfer;

(5) the number, reason for, and outcome of each nonemergency hospital transfer during the intrapartum or postpartum period;

(6) the number, reason for, and outcome of each urgent or emergency transport of an expectant childbearing individual in the antepartum period;

(7) the number, reason for, and outcome of each urgent or emergency transport of an infant or childbearing individual during the intrapartum or immediate postpartum period;

(8) the number of planned out-of-hospital births at the onset of labor and the number of births completed in an out-of-hospital setting;

(9) a brief description of any complications resulting in the morbidity or mortality of a childbearing individual or a neonate; and

(10) any other information required by rule by the Department of Public Health.

(b) ~~(Blank). The Board shall maintain the confidentiality of any report under subsection (d).~~

(c) Notwithstanding any other provision of law, a licensed certified professional midwife shall be subject to the same reporting requirements as other health care professionals who provide care to individuals.

(d) ~~(Blank). Reports are confidential under Section 180 of this Act.~~

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/125)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)



Sec. 125. Rehearing. If the Secretary is satisfied that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license, the Secretary may order a rehearing by the same or another hearing officer ~~or Board~~.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/130)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 130. Administrative review; certification of record.

(a) All final administrative decisions of the Department are subject to judicial review pursuant to the provisions of the Administrative Review Law, and all rules adopted pursuant thereto. "Administrative decision" has the same meaning as used in Section 3-101 of the Code of Civil Procedure.

(b) Proceedings for judicial review shall be commenced in the circuit court of the county in which the party applying for review resides, but if the party is not a resident of this State, venue shall be in Sangamon County.

(c) The Department shall not be required to certify any record to the court, to file an answer in court, or to otherwise appear in any court in a judicial review proceeding unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. ~~Exhibits shall be certified without cost.~~ Failure on the part of the plaintiff to file a receipt in court is grounds for dismissal of the action. During the pendency and hearing of any and all judicial proceedings incident to the disciplinary action, the sanctions imposed upon the accused by the Department because of acts or omissions related to the delivery of direct patient care as specified in the Department's final administrative decision, shall, as a matter of public policy, remain in full force and effect in order to protect the public pending final resolution of any of the proceedings.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/150)

(This Section may contain text from a Public Act with a delayed effective date)

(Section scheduled to be repealed on January 1, 2027)

Sec. 150. Hearing officer. Notwithstanding the provisions of Section 140, the Secretary shall have the authority to appoint any attorney duly licensed to practice law in this State to serve as the hearing officer in any action for refusal to issue or renew, or for discipline of, a license. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Board and the Secretary. The Board shall ~~have 60 days after receipt of the report to~~ review the report of the hearing officer and present their findings of fact, conclusions of law, and recommendations to the Secretary. If the Secretary disagrees in any regard with the report of the Board or hearing officer, he or she may issue an order in contravention thereof.

(Source: P.A. 102-683, eff. 10-1-22.)

(225 ILCS 64/160 rep.)

Section 10. The Licensed Certified Professional Midwife Practice Act is amended by repealing Section 160.

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

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

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 Castro, **House Bill No. 5012** 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 59; NAYS None.

The following voted in the affirmative:

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

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

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

**HOUSE BILL RECALLED**

On motion of Senator Villivalam, **House Bill No. 4070** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 4070**

AMENDMENT NO. 1. Amend House Bill 4070 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Illinois Indian American Advisory Council Act.

Section 5. Definitions. As used in this Act:

"Indian" means a person descended from any of the countries of the subcontinent that are not primarily Muslim in character, including India, Bhutan, Nepal, and Sri Lanka.

"Council" means the Illinois Indian American Advisory Council created by this Act.

Section 10. Illinois Indian American Advisory Council. There is hereby created the Illinois Indian American Advisory Council. The purpose of the Council is to advise the Governor and the General Assembly on policy issues impacting Indian Americans and immigrants; to advance the role and civic participation of Indian Americans in this State; to enhance trade and cooperation between Indian-majority countries and this State; and, in cooperation with State agencies, boards, and commissions, to build

relationships with and disseminate information to Indian American and immigrant communities across this State.

Section 15. Council members.

(a) The Council shall consist of 21 voting members. The Governor shall appoint one voting member, who shall act as the chairperson of the Council and serve as the representative of the Office of the Governor. The Governor, the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives shall each appoint 4 members of the public to the Council, who shall also serve as voting members.

(b) Appointing authorities shall ensure, to the maximum extent practicable, that the Council is diverse with respect to race, ethnicity, age, gender, and geography.

(c) Appointments to the Council shall be persons of recognized ability and experience in one or more of the following areas: higher education, business, international trade, law, social services, human services, immigration, refugee services, community development, or health care.

(d) Appointed members of the Council shall serve 2-year terms. A member shall serve until his or her successor shall be appointed. Members of the Council shall not be entitled to compensation for their services as members.

(e) The following officials shall serve as ex officio, nonvoting members of the Council: the Deputy Director of the Office of Trade and Investment within the Department of Commerce and Economic Opportunity, or his or her designee, and the Chief of the Bureau of Refugee and Immigrant Services within the Department of Human Services, or his or her designee.

The following State agencies shall also each appoint a liaison to serve as ex officio, nonvoting members of the Council: the Department of Commerce and Economic Opportunity, the Department of Financial and Professional Regulation, the Department of Human Services, the Department on Aging, the Department of Children and Family Services, the Department of Healthcare and Family Services, the Department of Public Health, the Department of Central Management Services, the Illinois State Board of Education, the Illinois Board of Higher Education, and the Illinois Community College Board.

(f) The Council may establish committees that address certain issues, including, but not limited to, communications, economic development, and legislative affairs.

(g) The Office of the Governor shall provide administrative and technical support to the Council, including a staff member to serve as ethics officer.

Section 20. Meetings. The Council shall meet at least once per each calendar quarter. In addition, the Council may hold up to 2 public hearings annually to assist in the development of policy recommendations to the Governor and the General Assembly. All meetings of the Council shall be conducted in accordance with the Open Meetings Act. Eleven members of the Council shall constitute a quorum.

Section 25. Reports.

(a) The Council shall issue semi-annual reports on its policy recommendations to the Governor and the General Assembly by June 30th and December 31st of each year.

(b) The reports on policy recommendations shall focus on, but are not limited to, the following: (i) policy issues impacting Indian Americans and immigrants; (ii) advancement of the role and civic participation of Indian Americans in this State; (iii) enhancement of trade and cooperation between Indian-majority countries and this State; and (iv) building relationships with and disseminating information to, in cooperation with State agencies, boards, and commissions, Indian American and immigrant communities across this State."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

**READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME**

On motion of Senator Villivalam, **House Bill No. 4070** 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 59; NAYS None.

The following voted in the affirmative:

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

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

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

**HOUSE BILL RECALLED**

On motion of Senator Murphy, **House Bill No. 5283** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO HOUSE BILL 5283**

AMENDMENT NO. 1. Amend House Bill 5283 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Local Library Act is amended by changing Section 4-4 as follows:  
(75 ILCS 5/4-4) (from Ch. 81, par. 4-4)

Sec. 4-4. Vacancies shall be declared in the office of trustee by the board when the elected or appointed trustee declines or is unable to serve, or is absent without cause from all regular board meetings for a period of one year, or is convicted of a misdemeanor for failing, neglecting, or refusing to discharge any duty imposed upon a trustee by this Act, or becomes a nonresident of the city, village, incorporated town, or township, or who fails to pay the library taxes levied by the corporate authorities. Vacancies shall also be declared in the office of trustee by the board when, at the election of the first board of library trustees or at any subsequent election, there are not sufficient trustees elected to fill an entire board of 7 trustees.

Vacancies in the board of trustees in a city or a village under the commission form of government shall be reported to the mayor or president and be filled in like manner as original appointments.

If a vacancy occurs in the board of trustees in any incorporated town or village (other than a village under the commission form of government) or in any township, the vacancy may be filled by the remaining trustees until the next regular library election at which library trustees are scheduled to be elected under the consolidated schedule of elections in the general election law, at which election a trustee shall be elected to fill the vacancy for the remainder of the unexpired term. If, however, the vacancy occurs with less than 28 months remaining in the term, and if the vacancy occurs less than 88 days before the next regular scheduled election for this office, then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. If there is a failure to appoint a library trustee or a failure to elect a library trustee, or if the person elected or appointed fails to qualify for office, the trustee may continue in office if available and qualified until his successor has been elected or appointed and qualified. Vacancies shall be filled within 90 days after a vacancy has been declared ~~forthwith~~.  
(Source: P.A. 87-424.)

Section 10. The Public Library District Act of 1991 is amended by changing Sections 30-25 and 30-40 as follows:

(75 ILCS 16/30-25)

Sec. 30-25. Vacancies.

(a) Vacancies shall be declared in the office of trustee by the board when an elected or appointed trustee (i) declines, fails, or is unable to serve, (ii) becomes a nonresident of the district, (iii) is convicted of a misdemeanor by failing, neglecting, or refusing to discharge any duty imposed upon him or her by this Act, or (iv) has failed to pay the library taxes levied by the district. Absence without cause from all regular board meetings for a period of one year shall be a basis for declaring a vacancy.

(b) All vacancies shall be filled by appointment by the remaining trustees until the next regular library election, at which time a trustee shall be elected for the remainder of the unexpired term. If, however, the vacancy occurs with less than 28 months remaining in the term, and if the vacancy occurs less than 88 days before the next regular scheduled election for this office, then the person so appointed shall serve the remainder of the unexpired term and no election to fill the vacancy shall be held. If the vacancy is in the office of a trustee of a library district with an appointed board, the vacancy shall be filled by appointment by the remaining trustees. Vacancies shall be filled within 90 days after a vacancy has been declared ~~forthwith~~.  
(Source: P.A. 87-1277.)

(75 ILCS 16/30-40)

Sec. 30-40. Organization of board; qualification and oath of trustees.

(a) Within 74 days after their election or appointment, the incumbent and new trustees shall take their oath of office as prescribed by law and meet to organize the board.

(b) The first action taken at the meeting shall be the election of a president, a vice-president, a secretary, and a treasurer from among the trustees. The secretary shall then record the membership of the board. The board may, instead of electing a treasurer from among the trustees, by majority vote of the board, appoint and fix the compensation of a qualified treasurer that is not a trustee of the board.

(c) Trustees duly elected or appointed as certified by the appropriate election authority or appointing authority shall be qualified to serve as trustees under this Act. The required oath shall be taken and subscribed before a notary public or the secretary of the board.

(d) Within 60 days after the organization of the board, the secretary shall file, with the county clerk of the county containing all or a larger portion of the district and with the Illinois State Librarian, a statement listing the names and addresses of the trustees and officers and their respective terms in office. The secretary shall report a vacancy on the board to the county clerk and the State Librarian within 60 days after it occurs and shall report the filling of a vacancy within 60 days after it is filled.

(e) The first officers shall serve until the next regular election of trustees. Thereafter, officers shall serve for terms set by ordinance but not to exceed 2 years, ending on the third Monday of the month following each regular election or until their successors are duly elected by the board. A vacancy in any office shall be filled by the board for the unexpired term.

(Source: P.A. 93-847, eff. 7-30-04.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 2 was held in the Committee on Local Government.  
 Senator Murphy offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO HOUSE BILL 5283**

AMENDMENT NO. 3 . Amend House Bill 5283, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Local Library Act is amended by changing Section 4-4 as follows:

(75 ILCS 5/4-4) (from Ch. 81, par. 4-4)

Sec. 4-4. Vacancies shall be declared in the office of trustee by the board when the elected or appointed trustee declines or is unable to serve, or is absent without cause from all regular board meetings for a period of one year, or is convicted of a misdemeanor for failing, neglecting, or refusing to discharge any duty imposed upon a trustee by this Act, or becomes a nonresident of the city, village, incorporated town, or township, or who fails to pay the library taxes levied by the corporate authorities. Vacancies shall also be declared in the office of trustee by the board when, at the election of the first board of library trustees or at any subsequent election, there are not sufficient trustees elected to fill an entire board of 7 trustees.

Vacancies in the board of trustees in a city or a village under the commission form of government shall be reported to the mayor or president and be filled in like manner as original appointments.

If a vacancy occurs in the board of trustees in any incorporated town or village (other than a village under the commission form of government) or in any township, the vacancy may be filled by the remaining trustees until the next regular library election at which library trustees are scheduled to be elected under the consolidated schedule of elections in the general election law, at which election a trustee shall be elected to fill the vacancy for the remainder of the unexpired term. If, however, the vacancy occurs with less than 28 months remaining in the term, and if the vacancy occurs less than 88 days before the next regular scheduled election for this office, then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. If there is a failure to appoint a library trustee or a failure to elect a library trustee, or if the person elected or appointed fails to qualify for office, the trustee may continue in office if available and qualified until his successor has been elected or appointed and qualified. Vacancies shall be filled within 90 days after a vacancy has been declared ~~forthwith~~.

(Source: P.A. 87-424.)

Section 10. The Public Library District Act of 1991 is amended by changing Sections 30-25 and 30-40 as follows:

(75 ILCS 16/30-25)

Sec. 30-25. Vacancies.

(a) Vacancies shall be declared in the office of trustee by the board when an elected or appointed trustee (i) declines, fails, or is unable to serve, (ii) becomes a nonresident of the district, (iii) is convicted of a misdemeanor by failing, neglecting, or refusing to discharge any duty imposed upon him or her by this Act, or (iv) has failed to pay the library taxes levied by the district. Absence without cause from all regular board meetings for a period of one year shall be a basis for declaring a vacancy.

(b) All vacancies shall be filled by appointment by the remaining trustees until the next regular library election, at which time a trustee shall be elected for the remainder of the unexpired term. If, however, the vacancy occurs with less than 28 months remaining in the term, and if the vacancy occurs less than 88 days before the next regular scheduled election for this office, then the person so appointed shall serve the remainder of the unexpired term and no election to fill the vacancy shall be held. If the vacancy is in the office of a trustee of a library district with an appointed board, the vacancy shall be filled by appointment by the remaining trustees. Vacancies shall be filled within 90 days after a vacancy has been declared. If the trustees fail to appoint a new member within 90 days after a vacancy has been declared, the State Librarian shall appoint an individual to fill the vacancy within 60 days after the trustees have failed to fill the vacancy. If the State Librarian fails to fill the vacancy within the 60 days after the trustees have failed to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election ~~forthwith~~.

(Source: P.A. 87-1277.)

(75 ILCS 16/30-40)

Sec. 30-40. Organization of board; qualification and oath of trustees.

(a) Within 74 days after their election or appointment, the incumbent and new trustees shall take their oath of office as prescribed by law and meet to organize the board.

(b) The first action taken at the meeting shall be the election of a president, a vice-president, a secretary, and a treasurer from among the trustees. The secretary shall then record the membership of the board. The board may, instead of electing a treasurer from among the trustees, by majority vote of the board, appoint and fix the compensation of a qualified treasurer that is not a trustee of the board.

(c) Trustees duly elected or appointed as certified by the appropriate election authority or appointing authority shall be qualified to serve as trustees under this Act. The required oath shall be taken and subscribed before a notary public or the secretary of the board.

(d) Within 60 days after the organization of the board, the secretary shall file, with the county clerk of the county containing all or a larger portion of the district and with the Illinois State Librarian, a statement listing the names and addresses of the trustees and officers and their respective terms in office. The secretary shall report a vacancy on the board to the county clerk and the State Librarian within 60 days after it occurs and shall report the filling of a vacancy within 60 days after it is filled.

(e) The first officers shall serve until the next regular election of trustees. Thereafter, officers shall serve for terms set by ordinance but not to exceed 2 years, ending on the third Monday of the month following each regular election or until their successors are duly elected by the board. A vacancy in any office shall be filled by the board for the unexpired term.

(Source: P.A. 93-847, eff. 7-30-04.)

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 Murphy, **House Bill No. 5283** 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 59; NAYS None.

The following voted in the affirmative:

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

[April 6, 2022]

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 Gillespie, **House Bill No. 246** was recalled from the order of third reading to the order of second reading.

Senator Gillespie offered the following amendment and moved its adoption:

#### AMENDMENT NO. 1 TO HOUSE BILL 246

AMENDMENT NO. 1. Amend House Bill 246 by replacing everything after the enacting clause with the following:

"Section 1. The Illinois Administrative Procedure Act is amended by adding Section 5-45.21 as follows:

(5 ILCS 100/5-45.21 new)

Sec. 5-45.21. Emergency rulemaking; Department of Healthcare and Family Services. To provide for the expeditious and timely implementation of the changes made to Articles 5 and 5B of the Illinois Public Aid Code by this amendatory Act of the 102nd General Assembly, emergency rules implementing the changes made to Articles 5 and 5B of the Illinois Public Aid Code by this amendatory Act of the 102nd General Assembly may be adopted in accordance with Section 5-45 by the Department of Healthcare and Family Services. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed on September 30, 2022.

Section 5. The Illinois Public Aid Code is amended by changing Sections 5-5.2, 5-5.8, 5B-2, 5B-4, 5B-5, 5B-8, and 5E-10 and by adding Section 5E-20 as follows:

(305 ILCS 5/5-5.2) (from Ch. 23, par. 5-5.2)

Sec. 5-5.2. Payment.

(a) All nursing facilities that are grouped pursuant to Section 5-5.1 of this Act shall receive the same rate of payment for similar services.

(b) It shall be a matter of State policy that the Illinois Department shall utilize a uniform billing cycle throughout the State for the long-term care providers.

(c) ~~(Blank). Notwithstanding any other provisions of this Code, the methodologies for reimbursement of nursing services as provided under this Article shall no longer be applicable for bills payable for nursing services rendered on or after a new reimbursement system based on the Resource Utilization Groups (RUGs) has been fully operationalized, which shall take effect for services provided on or after January 1, 2014.~~

(c-1) Notwithstanding any other provisions of this Code, the methodologies for reimbursement of nursing services as provided under this Article shall no longer be applicable for bills payable for nursing services rendered on or after a new reimbursement system based on the Patient Driven Payment Model (PDPM) has been fully operationalized, which shall take effect for services provided on or after the implementation of the PDPM reimbursement system begins. For the purposes of this amendatory Act of the 102nd General Assembly, the implementation date of the PDPM reimbursement system and all related provisions shall be July 1, 2022 if the following conditions are met: (i) the Centers for Medicare and Medicaid Services has approved corresponding changes in the reimbursement system and bed assessment; and (ii) the Department has filed rules to implement these changes no later than June 1, 2022. Failure of the Department to file rules to implement the changes provided in this amendatory Act of the 102nd General Assembly no later than June 1, 2022 shall result in the implementation date being delayed to October 1, 2022.

(d) The new nursing services reimbursement methodology utilizing the Patient Driven Payment Model ~~RUG IV 48 grouper model~~, which shall be referred to as the PDPM ~~RUGs~~ reimbursement system, taking effect July 1, 2022, upon federal approval by the Centers for Medicare and Medicaid Services ~~January 1, 2014~~, shall be based on the following:



(1) The methodology shall be resident-centered ~~resident driven~~, facility-specific, cost-based, and based on guidance from the Centers for Medicare and Medicaid Services ~~and cost-based~~.

(2) Costs shall be annually rebased and case mix index quarterly updated. The nursing services methodology will be assigned to the Medicaid enrolled residents on record as of 30 days prior to the beginning of the rate period in the Department's Medicaid Management Information System (MMIS) as present on the last day of the second quarter preceding the rate period based upon the Assessment Reference Date of the Minimum Data Set (MDS).

(3) Regional wage adjusters based on the Health Service Areas (HSA) groupings and adjusters in effect on April 30, 2012 shall be included, except no adjuster shall be lower than 1.06 ~~1.0~~.

(4) PDPM nursing case mix indices in effect on March 1, 2022 ~~Case mix index~~ shall be assigned to each resident class at no less than 0.7858 of ~~based on~~ the Centers for Medicare and Medicaid Services PDPM unadjusted case mix values, in effect on March 1, 2022, staff time measurement study in effect on July 1, 2013, utilizing an index maximization approach.

(5) The pool of funds available for distribution by case mix and the base facility rate shall be determined using the formula contained in subsection (d-1).

(6) The Department shall establish a variable per diem staffing add-on in accordance with the most recent available federal staffing report, currently the Payroll Based Journal, for the same period of time, and if applicable adjusted for acuity using the same quarter's MDS. The Department shall rely on Payroll Based Journals provided to the Department of Public Health to make a determination of non-submission. If the Department is notified by a facility of missing or inaccurate Payroll Based Journal data or an incorrect calculation of staffing, the Department must make a correction as soon as the error is verified for the applicable quarter.

Facilities with at least 70% of the staffing indicated by the STRIVE study shall be paid a per diem add-on of \$9, increasing by equivalent steps for each whole percentage point until the facilities reach a per diem of \$14.88. Facilities with at least 80% of the staffing indicated by the STRIVE study shall be paid a per diem add-on of \$14.88, increasing by equivalent steps for each whole percentage point until the facilities reach a per diem add-on of \$23.80. Facilities with at least 92% of the staffing indicated by the STRIVE study shall be paid a per diem add-on of \$23.80, increasing by equivalent steps for each whole percentage point until the facilities reach a per diem add-on of \$29.75. Facilities with at least 100% of the staffing indicated by the STRIVE study shall be paid a per diem add-on of \$29.75, increasing by equivalent steps for each whole percentage point until the facilities reach a per diem add-on of \$35.70. Facilities with at least 110% of the staffing indicated by the STRIVE study shall be paid a per diem add-on of \$35.70, increasing by equivalent steps for each whole percentage point until the facilities reach a per diem add-on of \$38.68. Facilities with at least 125% or higher of the staffing indicated by the STRIVE study shall be paid a per diem add-on of \$38.68. Beginning April 1, 2023, no nursing facility's variable staffing per diem add-on shall be reduced by more than 5% in 2 consecutive quarters. For the quarters beginning July 1, 2022 and October 1, 2022, no facility's variable per diem staffing add-on shall be calculated at a rate lower than 85% of the staffing indicated by the STRIVE study. No facility below 70% of the staffing indicated by the STRIVE study shall receive a variable per diem staffing add-on after December 31, 2022.

(7) For dates of services beginning July 1, 2022, the PDPM nursing component per diem for each nursing facility shall be the product of the facility's (i) statewide PDPM nursing base per diem rate, \$92.25, adjusted for the facility average PDPM case mix index calculated quarterly and (ii) the regional wage adjuster, and then add the Medicaid access adjustment as defined in (e-3) of this Section. Transition rates for services provided between July 1, 2022 and October 1, 2023 shall be the greater of the PDPM nursing component per diem or:

(A) for the quarter beginning July 1, 2022, the RUG-IV nursing component per diem;

(B) for the quarter beginning October 1, 2022, the sum of the RUG-IV nursing component per diem multiplied by 0.80 and the PDPM nursing component per diem multiplied by 0.20;

(C) for the quarter beginning January 1, 2023, the sum of the RUG-IV nursing component per diem multiplied by 0.60 and the PDPM nursing component per diem multiplied by 0.40;

(D) for the quarter beginning April 1, 2023, the sum of the RUG-IV nursing component per diem multiplied by 0.40 and the PDPM nursing component per diem multiplied by 0.60;

(E) for the quarter beginning July 1, 2023, the sum of the RUG-IV nursing component per diem multiplied by 0.20 and the PDPM nursing component per diem multiplied by 0.80; or  
(F) for the quarter beginning October 1, 2023 and each subsequent quarter, the transition rate shall end and a nursing facility shall be paid 100% of the PDPM nursing component per diem.

(d-1) Calculation of base year Statewide RUG-IV nursing base per diem rate.

(1) Base rate spending pool shall be:

(A) The base year resident days which are calculated by multiplying the number of Medicaid residents in each nursing home as indicated in the MDS data defined in paragraph (4) by 365.

(B) Each facility's nursing component per diem in effect on July 1, 2012 shall be multiplied by subsection (A).

(C) Thirteen million is added to the product of subparagraph (A) and subparagraph (B) to adjust for the exclusion of nursing homes defined in paragraph (5).

(2) For each nursing home with Medicaid residents as indicated by the MDS data defined in paragraph (4), weighted days adjusted for case mix and regional wage adjustment shall be calculated. For each home this calculation is the product of:

(A) Base year resident days as calculated in subparagraph (A) of paragraph (1).

(B) The nursing home's regional wage adjustor based on the Health Service Areas (HSA) groupings and adjustors in effect on April 30, 2012.

(C) Facility weighted case mix which is the number of Medicaid residents as indicated by the MDS data defined in paragraph (4) multiplied by the associated case weight for the RUG-IV 48 grouper model using standard RUG-IV procedures for index maximization.

(D) The sum of the products calculated for each nursing home in subparagraphs (A) through (C) above shall be the base year case mix, rate adjusted weighted days.

(3) The Statewide RUG-IV nursing base per diem rate:

(A) on January 1, 2014 shall be the quotient of the paragraph (1) divided by the sum calculated under subparagraph (D) of paragraph (2); ~~and~~

(B) on and after July 1, 2014 and until July 1, 2022, shall be the amount calculated under subparagraph (A) of this paragraph (3) plus \$1.76; and -

(C) beginning July 1, 2022 and thereafter, \$7 shall be added to the amount calculated under subparagraph (B) of this paragraph (3) of this Section.

(4) Minimum Data Set (MDS) comprehensive assessments for Medicaid residents on the last day of the quarter used to establish the base rate.

(5) Nursing facilities designated as of July 1, 2012 by the Department as "Institutions for Mental Disease" shall be excluded from all calculations under this subsection. The data from these facilities shall not be used in the computations described in paragraphs (1) through (4) above to establish the base rate.

(e) Beginning July 1, 2014, the Department shall allocate funding in the amount up to \$10,000,000 for per diem add-ons to the RUGS methodology for dates of service on and after July 1, 2014:

(1) \$0.63 for each resident who scores in I4200 Alzheimer's Disease or I4800 non-Alzheimer's Dementia.

(2) \$2.67 for each resident who scores either a "1" or "2" in any items S1200A through S1200I and also scores in RUG groups PA1, PA2, BA1, or BA2.

(e-1) (Blank).

(e-2) For dates of services beginning January 1, 2014 and ending September 30, 2023, the RUG-IV nursing component per diem for a nursing home shall be the product of the statewide RUG-IV nursing base per diem rate, the facility average case mix index, and the regional wage adjustor. ~~Transition rates for services provided between January 1, 2014 and December 31, 2014 shall be as follows:~~

~~(1) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is greater than the nursing component rate in effect July 1, 2012 shall be paid the sum of:~~

~~(A) The nursing component rate in effect July 1, 2012; plus~~

~~(B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.88.~~

(2) The transition RUG-IV per diem nursing rate for nursing homes whose rate calculated in this subsection (e-2) is less than the nursing component rate in effect July 1, 2012 shall be paid the sum of:

(A) The nursing component rate in effect July 1, 2012, plus

(B) The difference of the RUG-IV nursing component per diem calculated for the current quarter minus the nursing component rate in effect July 1, 2012 multiplied by 0.12.

(e-3) A Medicaid Access Adjustment of \$4 adjusted for the facility average PDPM case mix index calculated quarterly shall be added to the statewide PDPM nursing per diem for all facilities with annual Medicaid bed days of at least 70% of all occupied bed days adjusted quarterly. For each new calendar year and for the 6-month period beginning July 1, 2022, the percentage of a facility's occupied bed days comprised of Medicaid bed days shall be determined by the Department quarterly. This subsection shall be inoperative on and after January 1, 2028.

(f) ~~(Blank). Notwithstanding any other provision of this Code, on and after July 1, 2012, reimbursement rates associated with the nursing or support components of the current nursing facility rate methodology shall not increase beyond the level effective May 1, 2011 until a new reimbursement system based on the RUGs-IV 48 grouper model has been fully operationalized.~~

(g) Notwithstanding any other provision of this Code, on and after July 1, 2012, for facilities not designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease", rates effective May 1, 2011 shall be adjusted as follows:

(1) ~~(Blank); Individual nursing rates for residents classified in RUG-IV groups PA1, PA2, BA1, and BA2 during the quarter ending March 31, 2012 shall be reduced by 10%;~~

(2) ~~(Blank); Individual nursing rates for residents classified in all other RUG-IV groups shall be reduced by 1.0%;~~

(3) Facility rates for the capital and support components shall be reduced by 1.7%.

(h) Notwithstanding any other provision of this Code, on and after July 1, 2012, nursing facilities designated by the Department of Healthcare and Family Services as "Institutions for Mental Disease" and "Institutions for Mental Disease" that are facilities licensed under the Specialized Mental Health Rehabilitation Act of 2013 shall have the nursing, socio-developmental, capital, and support components of their reimbursement rate effective May 1, 2011 reduced in total by 2.7%.

(i) On and after July 1, 2014, the reimbursement rates for the support component of the nursing facility rate for facilities licensed under the Nursing Home Care Act as skilled or intermediate care facilities shall be the rate in effect on June 30, 2014 increased by 8.17%.

(j) Notwithstanding any other provision of law, subject to federal approval, effective July 1, 2019, sufficient funds shall be allocated for changes to rates for facilities licensed under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities for dates of services on and after July 1, 2019: (i) to establish, through June 30, 2022 a per diem add-on to the direct care per diem rate not to exceed \$70,000,000 annually in the aggregate taking into account federal matching funds for the purpose of addressing the facility's unique staffing needs, adjusted quarterly and distributed by a weighted formula based on Medicaid bed days on the last day of the second quarter preceding the quarter for which the rate is being adjusted. Beginning July 1, 2022, the annual \$70,000,000 described in the preceding sentence shall be dedicated to the variable per diem add-on for staffing under paragraph (6) of subsection (d); and (ii) in an amount not to exceed \$170,000,000 annually in the aggregate taking into account federal matching funds to permit the support component of the nursing facility rate to be updated as follows:

(1) 80%, or \$136,000,000, of the funds shall be used to update each facility's rate in effect on June 30, 2019 using the most recent cost reports on file, which have had a limited review conducted by the Department of Healthcare and Family Services and will not hold up enacting the rate increase, with the Department of Healthcare and Family Services ~~and taking into account subsection (i).~~

(2) After completing the calculation in paragraph (1), any facility whose rate is less than the rate in effect on June 30, 2019 shall have its rate restored to the rate in effect on June 30, 2019 from the 20% of the funds set aside.

(3) The remainder of the 20%, or \$34,000,000, shall be used to increase each facility's rate by an equal percentage.

~~To implement item (i) in this subsection, facilities shall file quarterly reports documenting compliance with its annually approved staffing plan, which shall permit compliance with Section 3-202.05 of the Nursing Home Care Act. A facility that fails to meet the benchmarks and dates contained in the plan may have its add-on adjusted in the quarter following the quarterly review. Nothing in this Section shall limit the~~

ability of the facility to appeal a ruling of non-compliance and a subsequent reduction to the add-on. Funds adjusted for noncompliance shall be maintained in the Long-Term Care Provider Fund and accounted for separately. At the end of each fiscal year, these funds shall be made available to facilities for special staffing projects.

In order to provide for the expeditious and timely implementation of the provisions of Public Act 101-10, emergency rules to implement any provision of Public Act 101-10 may be adopted in accordance with this subsection by the agency charged with administering that provision or initiative. The agency shall simultaneously file emergency rules and permanent rules to ensure that there is no interruption in administrative guidance. The 150 day limitation of the effective period of emergency rules does not apply to rules adopted under this subsection, and the effective period may continue through June 30, 2021. The 24 month limitation on the adoption of emergency rules does not apply to rules adopted under this subsection. The adoption of emergency rules authorized by this subsection is deemed to be necessary for the public interest, safety, and welfare.

(k) During the first quarter of State Fiscal Year 2020, the Department of Healthcare of Family Services must convene a technical advisory group consisting of members of all trade associations representing Illinois skilled nursing providers to discuss changes necessary with federal implementation of Medicare's Patient-Driven Payment Model. Implementation of Medicare's Patient-Driven Payment Model shall, by September 1, 2020, end the collection of the MDS data that is necessary to maintain the current RUG-IV Medicaid payment methodology. The technical advisory group must consider a revised reimbursement methodology that takes into account transparency, accountability, actual staffing as reported under the federally required Payroll Based Journal system, changes to the minimum wage, adequacy in coverage of the cost of care, and a quality component that rewards quality improvements.

(l) The Department shall establish per diem add-on payments to improve the quality of care delivered by facilities, including:

(1) Incentive payments determined by facility performance on specified quality measures in an initial amount of \$70,000,000. Nothing in this subsection shall be construed to limit the quality of care payments in the aggregate statewide to \$70,000,000, and, if quality of care has improved across nursing facilities, the Department shall adjust those add-on payments accordingly. The quality payment methodology described in this subsection must be used for at least State Fiscal Year 2023. Beginning with the quarter starting July 1, 2023, the Department may add, remove, or change quality metrics and make associated changes to the quality payment methodology as outlined in subparagraph (E). Facilities designated by the Centers for Medicare and Medicaid Services as a special focus facility or a hospital-based nursing home do not qualify for quality payments.

(A) Each quality pool must be distributed by assigning a quality weighted score for each nursing home which is calculated by multiplying the nursing home's quality base period Medicaid days by the nursing home's star rating weight in that period.

(B) Star rating weights are assigned based on the nursing home's star rating for the LTS quality star rating. As used in this subparagraph, "LTS quality star rating" means the long-term stay quality rating for each nursing facility, as assigned by the Centers for Medicare and Medicaid Services under the Five-Star Quality Rating System. The rating is a number ranging from 0 (lowest) to 5 (highest).

(i) Zero-star or one-star rating has a weight of 0.

(ii) Two-star rating has a weight of 0.75.

(iii) Three-star rating has a weight of 1.5.

(iv) Four-star rating has a weight of 2.5.

(v) Five-star rating has a weight of 3.5.

(C) Each nursing home's quality weight score is divided by the sum of all quality weight scores for qualifying nursing homes to determine the proportion of the quality pool to be paid to the nursing home.

(D) The quality pool is no less than \$70,000,000 annually or \$17,500,000 per quarter. The Department shall publish on its website the estimated payments and the associated weights for each facility 45 days prior to when the initial payments for the quarter are to be paid. The Department shall assign each facility the most recent and applicable quarter's STAR value unless the facility notifies the Department within 15 days of an issue and the facility provides reasonable evidence demonstrating its timely compliance with federal data submission

requirements for the quarter of record. If such evidence cannot be provided to the Department, the STAR rating assigned to the facility shall be reduced by one from the prior quarter.

(E) The Department shall review quality metrics used for payment of the quality pool and make recommendations for any associated changes to the methodology for distributing quality pool payments in consultation with associations representing long-term care providers, consumer advocates, organizations representing workers of long-term care facilities, and payors. The Department may establish, by rule, changes to the methodology for distributing quality pool payments.

(F) The Department shall disburse quality pool payments from the Long-Term Care Provider Fund on a monthly basis in amounts proportional to the total quality pool payment determined for the quarter.

(G) The Department shall publish any changes in the methodology for distributing quality pool payments prior to the beginning of the measurement period or quality base period for any metric added to the distribution's methodology.

(2) Payments based on CNA tenure, promotion, and CNA training for the purpose of increasing CNA compensation. It is the intent of this subsection that payments made in accordance with this paragraph be directly incorporated into increased compensation for CNAs. As used in this paragraph, "CNA" means a certified nursing assistant as that term is described in Section 3-206 of the Nursing Home Care Act, Section 3-206 of the ID/DD Community Care Act, and Section 3-206 of the MC/DD Act. The Department shall establish, by rule, payments to nursing facilities equal to Medicaid's share of the tenure wage increments specified in this paragraph for all reported CNA employee hours compensated according to a posted schedule consisting of increments at least as large as those specified in this paragraph. The increments are as follows: an additional \$1.50 per hour for CNAs with at least one and less than 2 years' experience plus another \$1 per hour for each additional year of experience up to a maximum of \$6.50 for CNAs with at least 6 years of experience. For purposes of this paragraph, Medicaid's share shall be the ratio determined by paid Medicaid bed days divided by total bed days for the applicable time period used in the calculation. In addition, and additive to any tenure increments paid as specified in this paragraph, the Department shall establish, by rule, payments supporting Medicaid's share of the promotion-based wage increments for CNA employee hours compensated for that promotion with at least a \$1.50 hourly increase. Medicaid's share shall be established as it is for the tenure increments described in this paragraph. Qualifying promotions shall be defined by the Department in rules for an expected 10-15% subset of CNAs assigned intermediate, specialized, or added roles such as CNA trainers, CNA scheduling "captains", and CNA specialists for resident conditions like dementia or memory care or behavioral health.

(m) The Department shall work with nursing facility industry representatives to design policies and procedures to permit facilities to address the integrity of data from federal reporting sites used by the Department in setting facility rates.

(Source: P.A. 101-10, eff. 6-5-19; 101-348, eff. 8-9-19; 102-77, eff. 7-9-21; 102-558, eff. 8-20-21.)

(305 ILCS 5/5-5.8) (from Ch. 23, par. 5-5.8)

Sec. 5-5.8. Report on nursing home reimbursement. The Illinois Department shall report annually to the General Assembly, no later than the first Monday in April of 1982, and each year thereafter, in regard to:

- (a) the rate structure used by the Illinois Department to reimburse nursing facilities;
- (b) changes in the rate structure for reimbursing nursing facilities;
- (c) the administrative and program costs of reimbursing nursing facilities;
- (d) the availability of beds in nursing facilities for public aid recipients; and
- (e) the number of closings of nursing facilities, and the reasons for those closings; and -
- (f) for years beginning 2025 and thereafter, drawing on all available information that evaluates, to the extent possible, nursing facility costs and revenue, including a focus on the period of initial implementation of the payments and programs authorized in this Act.

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

(Source: P.A. 100-1148, eff. 12-10-18.)

(305 ILCS 5/5B-2) (from Ch. 23, par. 5B-2)

Sec. 5B-2. Assessment; no local authorization to tax.

(a) For the privilege of engaging in the occupation of long-term care provider, beginning July 1, 2011 through June 30, 2022, or upon federal approval by the Centers for Medicare and Medicaid Services of the long-term care provider assessment described in subsection (a-1), whichever is later, an assessment is imposed upon each long-term care provider in an amount equal to \$6.07 times the number of occupied bed days due and payable each month. Notwithstanding any provision of any other Act to the contrary, this assessment shall be construed as a tax, but shall not be billed or passed on to any resident of a nursing home operated by the nursing home provider.

(a-1) For the privilege of engaging in the occupation of long-term care provider for each occupied non-Medicare bed day, beginning July 1, 2022, an assessment is imposed upon each long-term care provider in an amount varying with the number of paid Medicaid resident days per annum in the facility with the following schedule of occupied bed tax amounts. This assessment is due and payable each month. The tax shall follow the schedule below and be rebased by the Department on an annual basis. The Department shall publish each facility's rebased tax rate according to the schedule in this Section 30 days prior to the beginning of the 6-month period beginning July 1, 2022 and thereafter 30 days prior to the beginning of each calendar year which shall incorporate the number of paid Medicaid days used to determine each facility's rebased tax rate.

(1) 0-5,000 paid Medicaid resident days per annum, \$10.67.

(2) 5,001-15,000 paid Medicaid resident days per annum, \$19.20.

(3) 15,001-35,000 paid Medicaid resident days per annum, \$22.40.

(4) 35,001-55,000 paid Medicaid resident days per annum, \$19.20.

(5) 55,001-65,000 paid Medicaid resident days per annum, \$13.86.

(6) 65,001+ paid Medicaid resident days per annum, \$10.67.

(7) Any non-profit nursing facilities without Medicaid-certified beds, \$7 per occupied bed day.

Notwithstanding any provision of any other Act to the contrary, this assessment shall be construed as a tax but shall not be billed or passed on to any resident of a nursing home operated by the nursing home provider.

For each new calendar year and for the 6-month period beginning July 1, 2022, a facility's paid Medicaid resident days per annum shall be determined using the Department's Medicaid Management Information System to include Medicaid resident days for the year ending 9 months earlier.

(b) Nothing in this amendatory Act of 1992 shall be construed to authorize any home rule unit or other unit of local government to license for revenue or impose a tax or assessment upon long-term care providers or the occupation of long-term care provider, or a tax or assessment measured by the income or earnings or occupied bed days of a long-term care provider.

(c) The assessment imposed by this Section shall not be due and payable, however, until after the Department notifies the long-term care providers, in writing, that the payment methodologies to long-term care providers required under Section 5-5.2 ~~5-5.4~~ of this Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and that the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. (Source: P.A. 96-1530, eff. 2-16-11; 97-10, eff. 6-14-11; 97-584, eff. 8-26-11.)

(305 ILCS 5/5B-4) (from Ch. 23, par. 5B-4)

Sec. 5B-4. Payment of assessment; penalty.

(a) The assessment imposed by Section 5B-2 shall be due and payable monthly, on the last State business day of the month for occupied bed days reported for the preceding third month prior to the month in which the tax is payable and due. A facility that has delayed payment due to the State's failure to reimburse for services rendered may request an extension on the due date for payment pursuant to subsection (b) and shall pay the assessment within 30 days of reimbursement by the Department. The Illinois Department may provide that county nursing homes directed and maintained pursuant to Section 5-1005 of the Counties Code may meet their assessment obligation by certifying to the Illinois Department that county expenditures have been obligated for the operation of the county nursing home in an amount at least equal to the amount of the assessment.

(a-5) The Illinois Department shall provide for an electronic submission process for each long-term care facility to report at a minimum the number of occupied bed days of the long-term care facility for the reporting period and other reasonable information the Illinois Department requires for the administration of its responsibilities under this Code. Beginning July 1, 2013, a separate electronic submission shall be completed for each long-term care facility in this State operated by a long-term care provider. The Illinois

Department shall provide a self-reporting notice of the assessment form that the long-term care facility completes for the required period and submits with its assessment payment to the Illinois Department. To the extent practicable, the Department shall coordinate the assessment reporting requirements with other reporting required of long-term care facilities.

(b) The Illinois Department is authorized to establish delayed payment schedules for long-term care providers that are unable to make assessment payments when due under this Section due to financial difficulties, as determined by the Illinois Department. The Illinois Department may not deny a request for delay of payment of the assessment imposed under this Article if the long-term care provider has not been paid by the State or the Medicaid managed care organization for services provided during the month on which the assessment is levied ~~or the Medicaid managed care organization has not been paid by the State.~~

(c) If a long-term care provider fails to pay the full amount of an assessment payment when due (including any extensions granted under subsection (b)), there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5B-2 a penalty assessment equal to the lesser of (i) 5% of the amount of the assessment payment not paid on or before the due date plus 5% of the portion thereof remaining unpaid on the last day of each month thereafter or (ii) 100% of the assessment payment amount not paid on or before the due date. For purposes of this subsection, payments will be credited first to unpaid assessment payment amounts (rather than to penalty or interest), beginning with the most delinquent assessment payments. Payment cycles of longer than 60 days shall be one factor the Director takes into account in granting a waiver under this Section.

(c-5) If a long-term care facility fails to file its assessment bill with payment, there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment due a penalty assessment equal to 25% of the assessment due. After July 1, 2013, no penalty shall be assessed under this Section if the Illinois Department does not provide a process for the electronic submission of the information required by subsection (a-5).

(d) Nothing in this amendatory Act of 1993 shall be construed to prevent the Illinois Department from collecting all amounts due under this Article pursuant to an assessment imposed before the effective date of this amendatory Act of 1993.

(e) Nothing in this amendatory Act of the 96th General Assembly shall be construed to prevent the Illinois Department from collecting all amounts due under this Code pursuant to an assessment, tax, fee, or penalty imposed before the effective date of this amendatory Act of the 96th General Assembly.

(f) No installment of the assessment imposed by Section 5B-2 shall be due and payable until after the Department notifies the long-term care providers, in writing, that the payment methodologies to long-term care providers required under Section ~~5-5.2~~ ~~5-5.4~~ of this Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. Upon notification to the Department of approval of the payment methodologies required under Section ~~5-5.2~~ ~~5-5.4~~ of this Code and the waivers granted under 42 CFR 433.68, all installments otherwise due under Section 5B-4 prior to the date of notification shall be due and payable to the Department upon written direction from the Department within 90 days after issuance by the Comptroller of the payments required under Section ~~5-5.2~~ ~~5-5.4~~ of this Code.

(Source: P.A. 100-501, eff. 6-1-18; 101-649, eff. 7-7-20.)

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

Sec. 5B-5. Annual reporting; penalty; maintenance of records.

(a) After December 31 of each year, and on or before March 31 of the succeeding year, every long-term care provider subject to assessment under this Article shall file a report with the Illinois Department. The report shall be in a form and manner prescribed by the Illinois Department and shall state the revenue received by the long-term care provider, reported in such categories as may be required by the Illinois Department, and other reasonable information the Illinois Department requires for the administration of its responsibilities under this Code.

(b) If a long-term care provider operates or maintains more than one long-term care facility in this State, the provider may not file a single return covering all those long-term care facilities, but shall file a separate return for each long-term care facility and shall compute and pay the assessment for each long-term care facility separately.

(c) Notwithstanding any other provision in this Article, in the case of a person who ceases to operate or maintain a long-term care facility in respect of which the person is subject to assessment under this

Article as a long-term care provider, the person shall file a final, amended return with the Illinois Department not more than 90 days after the cessation reflecting the adjustment and shall pay with the final return the assessment for the year as so adjusted (to the extent not previously paid). If a person fails to file a final amended return on a timely basis, there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment due a penalty assessment equal to 25% of the assessment due.

(d) Notwithstanding any other provision of this Article, a provider who commences operating or maintaining a long-term care facility that was under a prior ownership and remained licensed by the Department of Public Health shall notify the Illinois Department of any the change in ownership regardless of percentage, and shall be responsible to immediately pay any prior amounts owed by the facility. In addition, beginning January 1, 2023, all providers operating or maintaining a long-term care facility shall notify the Illinois Department of all individual owners and any individuals or organizations that are part of a limited liability company with ownership of that facility and the percentage ownership of each owner. This ownership reporting requirement does not include individual shareholders in a publicly held corporation. Submission of the information as part of the Department's cost reporting requirements shall satisfy this requirement.

(e) The Department shall develop a procedure for sharing with a potential buyer of a facility information regarding outstanding assessments and penalties owed by that facility.

(f) In the case of a long-term care provider existing as a corporation or legal entity other than an individual, the return filed by it shall be signed by its president, vice-president, secretary, or treasurer or by its properly authorized agent.

(g) If a long-term care provider fails to file its return on or before the due date of the return, there shall, unless waived by the Illinois Department for reasonable cause, be added to the assessment imposed by Section 5B-2 a penalty assessment equal to 25% of the assessment imposed for the year. After July 1, 2013, no penalty shall be assessed if the Illinois Department has not established a process for the electronic submission of information.

(h) Every long-term care provider subject to assessment under this Article shall keep records and books that will permit the determination of occupied bed days on a calendar year basis. All such books and records shall be kept in the English language and shall, at all times during business hours of the day, be subject to inspection by the Illinois Department or its duly authorized agents and employees.

(i) The Illinois Department shall establish a process for long-term care providers to electronically submit all information required by this Section no later than July 1, 2013.

(Source: P.A. 96-1530, eff. 2-16-11; 97-403, eff. 1-1-12; 97-813, eff. 7-13-12.)

(305 ILCS 5/5B-8) (from Ch. 23, par. 5B-8)

Sec. 5B-8. Long-Term Care Provider Fund.

(a) There is created in the State Treasury the Long-Term Care Provider Fund. Interest earned by the Fund shall be credited to the Fund. The Fund shall not be used to replace any moneys appropriated to the Medicaid program by the General Assembly.

(b) The Fund is created for the purpose of receiving and disbursing moneys in accordance with this Article. Disbursements from the Fund shall be made only as follows:

(1) For payments to nursing facilities, including county nursing facilities but excluding State-operated facilities, under Title XIX of the Social Security Act and Article V of this Code.

(1.5) For payments to managed care organizations as defined in Section 5-30.1 of this Code.

(2) For the reimbursement of moneys collected by the Illinois Department through error or mistake.

(3) For payment of administrative expenses incurred by the Illinois Department or its agent in performing the activities authorized by this Article.

(3.5) For reimbursement of expenses incurred by long-term care facilities, and payment of administrative expenses incurred by the Department of Public Health, in relation to the conduct and analysis of background checks for identified offenders under the Nursing Home Care Act.

(4) For payments of any amounts that are reimbursable to the federal government for payments from this Fund that are required to be paid by State warrant.

(5) For making transfers to the General Obligation Bond Retirement and Interest Fund, as those transfers are authorized in the proceedings authorizing debt under the Short Term Borrowing Act, but transfers made under this paragraph (5) shall not exceed the principal amount of debt issued in anticipation of the receipt by the State of moneys to be deposited into the Fund.



(6) For making transfers, at the direction of the Director of the Governor's Office of Management and Budget during each fiscal year beginning on or after July 1, 2011, to other State funds in an annual amount of \$20,000,000 of the tax collected pursuant to this Article for the purpose of enforcement of nursing home standards, support of the ombudsman program, and efforts to expand home and community-based services. No transfer under this paragraph shall occur until (i) the payment methodologies created by Public Act 96-1530 under Section 5-5.4 of this Code have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Disbursements from the Fund, other than transfers made pursuant to paragraphs (5) and (6) of this subsection, shall be by warrants drawn by the State Comptroller upon receipt of vouchers duly executed and certified by the Illinois Department.

(c) The Fund shall consist of the following:

(1) All moneys collected or received by the Illinois Department from the long-term care provider assessment imposed by this Article.

(2) All federal matching funds received by the Illinois Department as a result of expenditures made from the Fund by the Illinois Department that are attributable to moneys deposited in the Fund.

(3) Any interest or penalty levied in conjunction with the administration of this Article.

(4) (Blank).

(5) All other monies received for the Fund from any other source, including interest earned thereon.

(Source: P.A. 96-1530, eff. 2-16-11; 97-584, eff. 8-26-11.)

(305 ILCS 5/5E-10)

Sec. 5E-10. Fee. Through June 30, 2022 or upon federal approval by the Centers for Medicare and Medicaid Services of the long-term care provider assessment described in subsection (a-1) of Section 5B-2 of this Code, whichever is later, every ~~Every~~ nursing home provider shall pay to the Illinois Department, on or before September 10, December 10, March 10, and June 10, a fee in the amount of \$1.50 for each licensed nursing bed day for the calendar quarter in which the payment is due. This fee shall not be billed or passed on to any resident of a nursing home operated by the nursing home provider. All fees received by the Illinois Department under this Section shall be deposited into the Long-Term Care Provider Fund.

(Source: P.A. 88-88; 89-21, eff. 7-1-95.)

(305 ILCS 5/5E-20 new)

Sec. 5E-20. Repealer. This Article 5E is repealed on July 1, 2024.

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 Gillespie, **House Bill No. 246** 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 58; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Loughran Cappel	Stadelman
Aquino	Fine	Martwick	Stewart
Barickman	Fowler	McClure	Stoller
Belt	Gillespie	McConchie	Syverson

Bennett	Glowiak Hilton	Morrison	Tracy
Bryant	Harris	Muñoz	Turner, D.
Bush	Hastings	Murphy	Turner, S.
Castro	Holmes	Pacione-Zayas	Van Pelt
Collins	Hunter	Pappas	Villa
Connor	Johnson	Peters	Villanueva
Crowe	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	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.

#### CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Collins, **Senate Bill No. 1099**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Collins moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 39; NAYS 17.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Rezin	Tracy
Bailey	Fowler	Rose	Turner, S.
Barickman	McClure	Stewart	
Bryant	McConchie	Stoller	
Curran	Plummer	Syverson	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 1099**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McClure, **Senate Bill No. 1486**, with House Amendment No. 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator McClure moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 1486**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 2940**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

DeWitte

Landek

Simmons

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 2940**.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Tracy asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 2940**.

On motion of Senator Stadelman, **Senate Bill No. 3005**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Stadelman moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 3005**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator McConchie, **Senate Bill No. 1405**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator McConchie moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Ellman	Lightford	Sims
Aquino	Feigenholtz	Loughran Cappel	Stadelman
Bailey	Fine	Martwick	Stewart
Barickman	Fowler	McClure	Stoller
Belt	Gillespie	McConchie	Syverson
Bennett	Glowiak Hilton	Morrison	Tracy

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Bryant	Harris	Muñoz	Turner, D.
Bush	Hastings	Murphy	Turner, S.
Castro	Holmes	Pacione-Zayas	Van Pelt
Collins	Hunter	Pappas	Villa
Connor	Johnson	Peters	Villanueva
Crowe	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Mr. President
Curran	Koehler	Rose	
DeWitte	Landek	Simmons	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 1405**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Ellman, **Senate Bill No. 3613**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Ellman moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3613**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Joyce, **Senate Bill No. 3682**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Joyce moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3682**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **Senate Bill No. 3853**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Morrison moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3853**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bush, **Senate Bill No. 4006**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Bush moved that the Senate concur with the House in the adoption of their amendment to said bill.

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And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 4006**.

Ordered that the Secretary inform the House of Representatives thereof.

#### CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Morrison moved that **Senate Joint Resolution No. 47**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Morrison moved that Senate Joint Resolution No. 47 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 58; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

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

Senator Plummer moved that **Senate Joint Resolution No. 22**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Plummer moved that Senate Joint Resolution No. 22 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

And the resolution was adopted.

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

Senator Simmons asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Joint Resolution No. 22**.

Senator Harmon moved that **Senate Joint Resolution No. 54**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Harmon moved that Senate Joint Resolution No. 54 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 41; NAYS 15.

The following voted in the affirmative:

Aquino	Fine	Landek	Sims
Belt	Gillespie	Lightford	Stadelman
Bennett	Glowiak Hilton	Loughran Cappel	Turner, D.
Bush	Harris	Martwick	Van Pelt
Castro	Hastings	Morrison	Villa
Collins	Holmes	Muñoz	Villanueva
Connor	Hunter	Murphy	Villivalam

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Crowe	Johnson	Pacione-Zayas	Mr. President
Cunningham	Jones, E.	Pappas	
Ellman	Joyce	Peters	
Feigenholtz	Koehler	Simmons	

The following voted in the negative:

Anderson	DeWitte	Rezin	Syverson
Bailey	Fowler	Rose	Tracy
Barickman	McClure	Stewart	Turner, S.
Bryant	McConchie	Stoller	

The motion prevailed.

And the resolution was adopted.

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

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Harmon, **House Bill No. 1587** 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 1587

AMENDMENT NO. 1. Amend House Bill 1587 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Human Services Act is amended by changing Section 1-5 as follows:  
(20 ILCS 1305/1-5)

Sec. 1-5. Purpose. It is ~~the~~ the purpose of this Act to provide for the creation of the Department of Human Services and to transfer to it certain rights, powers, duties, and functions currently exercised by various other agencies of State Government. This Act consolidates and centralizes certain human services programs that are now offered to the citizens of this State by a number of different State agencies; it is intended to make possible the more effective and efficient operation of the affected programs and services. (Source: P.A. 89-507, eff. 7-3-96.)".

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

On motion of Senator Harmon, **House Bill No. 4285** 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 4285

AMENDMENT NO. 1. Amend House Bill 4285 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by changing Section 1.1 as follows:  
(30 ILCS 105/1.1) (from Ch. 127, par. 137.1)

Sec. 1.1. This Act shall be known and ~~and~~ may be cited as the "State Finance Act". (Source: P.A. 86-109.)".

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

On motion of Senator Harmon, **House Bill No. 4667** was taken up, read by title a second time. Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.

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

At the hour of 8:13 o'clock p.m., Senator Koehler, presiding.

On motion of Senator Muñoz, **House Bill No. 4173** was taken up, read by title a second time and ordered to a third reading.

#### **LEGISLATIVE MEASURES FILED**

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

Amendment No. 2 to House Bill 716  
Amendment No. 1 to House Bill 4209  
Amendment No. 2 to House Bill 4600  
Amendment No. 1 to House Bill 4666  
Amendment No. 5 to House Bill 5186  
Amendment No. 1 to House Bill 5488

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

Amendment No. 2 to House Bill 4164

#### **JOINT ACTION MOTIONS FILED**

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

Motion to Concur in House Amendment No. 1 to Senate Bill 180  
Motion to Concur in House Amendment No. 2 to Senate Bill 3180  
Motion to Concur in House Amendment No. 1 to Senate Bill 3416  
Motion to Concur in House Amendment No. 1 to Senate Bill 3685  
Motion to Concur in House Amendment No. 5 to Senate Bill 3889  
Motion to Concur in House Amendment No. 6 to Senate Bill 3889  
Motion to Concur in House Amendment No. 2 to Senate Bill 4028

#### **ANNOUNCEMENT**

The Chair reminded the Members that the Assignments Committee will meet at 8:30 a.m. and the Executive Committee will meet at 9:00 a.m. tomorrow.

At the hour of 8:14 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, April 7, 2022, at 11:00 o'clock a.m.