

1 AN ACT concerning regulation.

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

4 Section 3. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for
8 by the statutes referenced below, the following shall be exempt
9 from inspection and copying:

10 (a) All information determined to be confidential
11 under Section 4002 of the Technology Advancement and
12 Development Act.

13 (b) Library circulation and order records identifying
14 library users with specific materials under the Library
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical
17 records received by the Experimental Organ Transplantation
18 Procedures Board and any and all documents or other records
19 prepared by the Experimental Organ Transplantation
20 Procedures Board or its staff relating to applications it
21 has received.

22 (d) Information and records held by the Department of
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmissible
2 disease or any information the disclosure of which is
3 restricted under the Illinois Sexually Transmissible
4 Disease Control Act.

5 (e) Information the disclosure of which is exempted
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of
8 the Architectural, Engineering, and Land Surveying
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted
11 and exempted under Section 50 of the Illinois Prepaid
12 Tuition Act.

13 (h) Information the disclosure of which is exempted
14 under the State Officials and Employees Ethics Act, and
15 records of any lawfully created State or local inspector
16 general's office that would be exempt if created or
17 obtained by an Executive Inspector General's office under
18 that Act.

19 (i) Information contained in a local emergency energy
20 plan submitted to a municipality in accordance with a local
21 emergency energy plan ordinance that is adopted under
22 Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution
24 of surcharge moneys collected and remitted by ~~wireless~~
25 carriers under the ~~Wireless~~ Emergency Telephone System
26 ~~Safety~~ Act.

1 (k) Law enforcement officer identification information
2 or driver identification information compiled by a law
3 enforcement agency or the Department of Transportation
4 under Section 11-212 of the Illinois Vehicle Code.

5 (l) Records and information provided to a residential
6 health care facility resident sexual assault and death
7 review team or the Executive Council under the Abuse
8 Prevention Review Team Act.

9 (m) Information provided to the predatory lending
10 database created pursuant to Article 3 of the Residential
11 Real Property Disclosure Act, except to the extent
12 authorized under that Article.

13 (n) Defense budgets and petitions for certification of
14 compensation and expenses for court appointed trial
15 counsel as provided under Sections 10 and 15 of the Capital
16 Crimes Litigation Act. This subsection (n) shall apply
17 until the conclusion of the trial of the case, even if the
18 prosecution chooses not to pursue the death penalty prior
19 to trial or sentencing.

20 (o) Information that is prohibited from being
21 disclosed under Section 4 of the Illinois Health and
22 Hazardous Substances Registry Act.

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Regional Transportation Authority under Section 2.11 of

1 the Regional Transportation Authority Act or the St. Clair
2 County Transit District under the Bi-State Transit Safety
3 Act.

4 (q) Information prohibited from being disclosed by the
5 Personnel Records Review Act.

6 (r) Information prohibited from being disclosed by the
7 Illinois School Student Records Act.

8 (s) Information the disclosure of which is restricted
9 under Section 5-108 of the Public Utilities Act.

10 (t) All identified or deidentified health information
11 in the form of health data or medical records contained in,
12 stored in, submitted to, transferred by, or released from
13 the Illinois Health Information Exchange, and identified
14 or deidentified health information in the form of health
15 data and medical records of the Illinois Health Information
16 Exchange in the possession of the Illinois Health
17 Information Exchange Authority due to its administration
18 of the Illinois Health Information Exchange. The terms
19 "identified" and "deidentified" shall be given the same
20 meaning as in the Health Insurance Portability and
21 Accountability Act of 1996, Public Law 104-191, or any
22 subsequent amendments thereto, and any regulations
23 promulgated thereunder.

24 (u) Records and information provided to an independent
25 team of experts under Brian's Law.

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under
2 the Firearm Owners Identification Card Act or applied for
3 or received a concealed carry license under the Firearm
4 Concealed Carry Act, unless otherwise authorized by the
5 Firearm Concealed Carry Act; and databases under the
6 Firearm Concealed Carry Act, records of the Concealed Carry
7 Licensing Review Board under the Firearm Concealed Carry
8 Act, and law enforcement agency objections under the
9 Firearm Concealed Carry Act.

10 (w) Personally identifiable information which is
11 exempted from disclosure under subsection (g) of Section
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure
14 under Section 5-1014.3 of the Counties Code or Section
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult
17 Protective Services Act and its predecessor enabling
18 statute, the Elder Abuse and Neglect Act, including
19 information about the identity and administrative finding
20 against any caregiver of a verified and substantiated
21 decision of abuse, neglect, or financial exploitation of an
22 eligible adult maintained in the Registry established
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality
25 review team or the Illinois Fatality Review Team Advisory
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement
7 Officer-Worn Body Camera Act, except to the extent
8 authorized under that Act.

9 (dd) Information that is prohibited from being
10 disclosed under Section 45 of the Condominium and Common
11 Interest Community Ombudsperson Act.

12 (ee) ~~(dd)~~ Information that is exempted from disclosure
13 under Section 30.1 of the Pharmacy Practice Act.

14 (Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756,
15 eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14;
16 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16;
17 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff.
18 8-19-16; revised 9-1-16.)

19 Section 5. The Department of State Police Law of the Civil
20 Administrative Code of Illinois is amended by changing Sections
21 2605-52 and 2605-475 as follows:

22 (20 ILCS 2605/2605-52)

23 Sec. 2605-52. Office of the Statewide 9-1-1 Administrator.

24 (a) There shall be established an Office of the Statewide

1 9-1-1 Administrator within the Department. Beginning January
2 1, 2016, the Office of the Statewide 9-1-1 Administrator shall
3 be responsible for developing, implementing, and overseeing a
4 uniform statewide 9-1-1 system for all areas of the State
5 outside of municipalities having a population over 500,000.

6 (b) The Governor shall appoint, with the advice and consent
7 of the Senate, a Statewide 9-1-1 Administrator. The
8 Administrator shall serve for a term of 2 years, and until a
9 successor is appointed and qualified; except that the term of
10 the first 9-1-1 Administrator appointed under this Act shall
11 expire on the third Monday in January, 2017. The Administrator
12 shall not hold any other remunerative public office. The
13 Administrator shall receive an annual salary as set by the
14 Governor.

15 (c) The Department, from appropriations made to it for that
16 purpose, shall make grants to 9-1-1 Authorities for the purpose
17 of defraying costs associated with 9-1-1 system consolidations
18 awarded by the Administrator under Section 15.4b of the
19 Emergency Telephone System Act.

20 (Source: P.A. 99-6, eff. 6-29-15.)

21 (20 ILCS 2605/2605-475) (was 20 ILCS 2605/55a in part)

22 Sec. 2605-475. ~~Wireless~~ Emergency Telephone System Safety
23 Act. The Department and Statewide 9-1-1 Administrator shall ~~to~~
24 exercise the powers and perform the duties specifically
25 assigned to each ~~the Department~~ under the ~~Wireless~~ Emergency

1 Telephone System Safety Act ~~with respect to the development and~~
2 ~~improvement of emergency communications procedures and~~
3 ~~facilities in such a manner as to facilitate a quick response~~
4 ~~to any person calling the number "9-1-1" seeking police, fire,~~
5 ~~medical, or other emergency services through a wireless carrier~~
6 ~~as defined in Section 10 of the Wireless Emergency Telephone~~
7 ~~Safety Act.~~ Nothing in the ~~Wireless~~ Emergency Telephone System
8 Safety Act shall require the Department of Illinois State
9 Police to provide wireless enhanced 9-1-1 services.

10 (Source: P.A. 91-660, eff. 12-22-99; 92-16, eff. 6-28-01.)

11 Section 10. The State Finance Act is amended by changing
12 Section 8.37 as follows:

13 (30 ILCS 105/8.37)

14 Sec. 8.37. State Police Wireless Service Emergency Fund.

15 (a) The State Police Wireless Service Emergency Fund is
16 created as a special fund in the State Treasury.

17 (b) Grants or surcharge funds allocated to the Department
18 of State Police from the Statewide 9-1-1 ~~Wireless Service~~
19 ~~Emergency~~ Fund shall be deposited into the State Police
20 Wireless Service Emergency Fund and shall be used in accordance
21 with Section 30 ~~20~~ of the ~~Wireless~~ Emergency Telephone System
22 Safety Act.

23 (c) On July 1, 1999, the State Comptroller and State
24 Treasurer shall transfer \$1,300,000 from the General Revenue

1 Fund to the State Police Wireless Service Emergency Fund. On
2 June 30, 2003 the State Comptroller and State Treasurer shall
3 transfer \$1,300,000 from the State Police Wireless Service
4 Emergency Fund to the General Revenue Fund.

5 (Source: P.A. 91-660, eff. 12-22-99; 92-16, eff. 6-28-01.)

6 Section 15. The Emergency Telephone System Act is amended
7 by changing Sections 2, 8, 10, 10.3, 12, 14, 15.2a, 15.3,
8 15.3a, 15.4, 15.4a, 15.4b, 15.6a, 19, 20, 30, 35, 40, 55, and
9 99 and by adding Section 17.5 as follows:

10 (50 ILCS 750/2) (from Ch. 134, par. 32)

11 (Section scheduled to be repealed on July 1, 2017)

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

14 "9-1-1 network" means the network used for the delivery of
15 9-1-1 calls and messages over dedicated and redundant
16 facilities to a primary or backup 9-1-1 PSAP that meets P.01
17 grade of service standards for basic 9-1-1 and enhanced 9-1-1
18 services or meets national I3 industry call delivery standards
19 for Next Generation 9-1-1 services.

20 "9-1-1 system" means the geographic area that has been
21 granted an order of authority by the Commission or the
22 Statewide 9-1-1 Administrator to use "9-1-1" as the primary
23 emergency telephone number.

24 "9-1-1 Authority" includes an Emergency Telephone System

1 Board, Joint Emergency Telephone System Board, and a qualified
2 governmental entity. "9-1-1 Authority" includes the Department
3 of State Police only to the extent it provides 9-1-1 services
4 under this Act.

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

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

14 "ALI" or "automatic location identification" means, in an
15 E9-1-1 system, the automatic display at the public safety
16 answering point of the caller's telephone number, the address
17 or location of the telephone, and supplementary emergency
18 services information.

19 "ANI" or "automatic number identification" means the
20 automatic display of the 9-1-1 calling party's number on the
21 PSAP monitor.

22 "Automatic alarm" and "automatic alerting device" mean any
23 device that will access the 9-1-1 system for emergency services
24 upon activation.

25 "Backup PSAP" means a public safety answering point that
26 serves as an alternate to the PSAP for enhanced systems and is

1 at a different location and operates independently from the
2 PSAP. A backup PSAP may accept overflow calls from the PSAP or
3 be activated if the primary PSAP is disabled.

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

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

9 "Commission" means the Illinois Commerce Commission.

10 "Computer aided dispatch" or "CAD" means a computer-based
11 system that aids PSAP telecommunicators by automating selected
12 dispatching and recordkeeping activities ~~database maintained~~
13 ~~by the public safety agency or public safety answering point~~
14 ~~used in conjunction with 9-1-1 caller data.~~

15 "Direct dispatch method" means a 9-1-1 service that
16 provides for the direct dispatch by a PSAP telecommunicator of
17 the appropriate unit upon receipt of an emergency call and the
18 decision as to the proper action to be taken.

19 "Department" means the Department of State Police.

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

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

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

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

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

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

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

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

23 (3) collects a variety of formatted data relevant to
24 9-1-1 and first responder needs, which may include, but is
25 not limited to, photographs of the telephone subscribers,
26 physical descriptions, medical information, household

1 data, and emergency contacts;

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

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

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

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

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

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

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

25 "Local public agency" means any unit of local government or
26 special purpose district located in whole or in part within

1 this State that provides or has authority to provide
2 firefighting, police, ambulance, medical, or other emergency
3 services.

4 "Mechanical dialer" means any device that either manually
5 or remotely triggers a dialing device to access the 9-1-1
6 system.

7 "Master Street Address Guide" or "MSAG" is a database of
8 street names and house ranges within their associated
9 communities defining emergency service zones (ESZs) and their
10 associated emergency service numbers (ESNs) to enable proper
11 routing of 9-1-1 calls ~~means the computerized geographical~~
12 ~~database that consists of all street and address data within a~~
13 ~~9-1-1 system.~~

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

17 "Network connections" means the number of voice grade
18 communications channels directly between a subscriber and a
19 telecommunications carrier's public switched network, without
20 the intervention of any other telecommunications carrier's
21 switched network, which would be required to carry the
22 subscriber's inter-premises traffic and which connection
23 either (1) is capable of providing access through the public
24 switched network to a 9-1-1 Emergency Telephone System, if one
25 exists, or (2) if no system exists at the time a surcharge is
26 imposed under Section 15.3, that would be capable of providing

1 access through the public switched network to the local 9-1-1
2 Emergency Telephone System if one existed. Where multiple voice
3 grade communications channels are connected to a
4 telecommunications carrier's public switched network through a
5 private branch exchange (PBX) service, there shall be
6 determined to be one network connection for each trunk line
7 capable of transporting either the subscriber's inter-premises
8 traffic to the public switched network or the subscriber's
9 9-1-1 calls to the public agency. Where multiple voice grade
10 communications channels are connected to a telecommunications
11 carrier's public switched network through centrex type
12 service, the number of network connections shall be equal to
13 the number of PBX trunk equivalents for the subscriber's
14 service or other multiple voice grade communication channels
15 facility, as determined by reference to any generally
16 applicable exchange access service tariff filed by the
17 subscriber's telecommunications carrier with the Commission.

18 "Network costs" means those recurring costs that directly
19 relate to the operation of the 9-1-1 network as determined by
20 the Statewide 9-1-1 Administrator with the advice of the
21 Statewide 9-1-1 Advisory Board, which may include including,
22 but need not be limited to, some or all of the following: costs
23 for interoffice trunks, selective routing charges, transfer
24 lines and toll charges for 9-1-1 services, Automatic Location
25 Information (ALI) database charges, ~~call box trunk circuit~~
26 ~~(including central office only and not including extensions to~~

1 ~~fire stations),~~ independent local exchange carrier charges and
2 non-system provider charges, carrier charges for third party
3 database for on-site customer premises equipment, back-up PSAP
4 trunks for non-system providers, periodic database updates as
5 provided by carrier (also known as "ALI data dump"), regional
6 ALI storage charges, circuits for call delivery (fiber or
7 circuit connection), NG9-1-1 costs, and all associated fees,
8 taxes, and surcharges on each invoice. "Network costs" shall
9 not include radio circuits or toll charges that are other than
10 for 9-1-1 services.

11 "Next generation 9-1-1" or "NG9-1-1" means an Internet
12 Protocol-based (IP-based) system comprised of managed ESInets,
13 functional elements and applications, and databases that
14 replicate traditional E9-1-1 features and functions and
15 provide additional capabilities. "NG9-1-1" systems are
16 designed to provide access to emergency services from all
17 connected communications sources, and provide multimedia data
18 capabilities for PSAPs and other emergency services
19 organizations.

20 "NG9-1-1 costs" means those recurring costs that directly
21 relate to the Next Generation 9-1-1 service as determined by
22 the Statewide 9-1-1 Advisory Board, including, but not limited
23 to, costs for Emergency System Routing Proxy (ESRP), Emergency
24 Call Routing Function/Location Validation Function (ECRF/LVF),
25 Spatial Information Function (SIF), the Border Control
26 Function (BCF), and the Emergency Services Internet Protocol

1 networks (ESInets), legacy network gateways, and all
2 associated fees, taxes, and surcharges on each invoice.

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

7 ~~"Private business switch service" means a~~
8 ~~telecommunications service including centrex type service and~~
9 ~~PBX service, even though key telephone systems or equivalent~~
10 ~~telephone systems registered with the Federal Communications~~
11 ~~Commission under 47 C.F.R. Part 68 are directly connected to~~
12 ~~centrex type and PBX systems providing 9-1-1 services equipped~~
13 ~~for switched local network connections or 9-1-1 system access~~
14 ~~to business end users through a private telephone switch.~~

15 "Private business switch service" means network and
16 premises based systems including a VoIP, Centrex type service,
17 or PBX service, even though does not include key telephone
18 systems or equivalent telephone systems registered with the
19 Federal Communications Commission under 47 C.F.R. Part 68 are
20 directly connected to Centrex ~~when not used in conjunction with~~
21 ~~centrex~~ type and PBX systems. "Private business switch service"
22 does not include key telephone systems or equivalent telephone
23 systems registered with the Federal Communications Commission
24 under 47 C.F.R. Part 68 when not used in conjunction with a
25 VoIP, Centrex type, or PBX systems. "Private business switch
26 service" typically includes, but is not limited to, private

1 businesses, corporations, and industries where the
2 telecommunications service is primarily for conducting
3 business.

4 "Private residential switch service" means network and
5 premise based systems ~~a telecommunications service~~ including a
6 VoIP, Centrex ~~centrex~~ type service, or ~~and~~ PBX service or, ~~even~~
7 ~~though~~ key telephone systems or equivalent telephone systems
8 registered with the Federal Communications Commission under 47
9 C.F.R. Part 68 that are directly connected to a VoIP, Centrex
10 ~~centrex~~ type service, or ~~and~~ PBX systems ~~providing 9 1 1~~
11 ~~services~~ equipped for switched local network connections or
12 9-1-1 system access to residential end users through a private
13 telephone switch. "Private residential switch service" does
14 not include key telephone systems or equivalent telephone
15 systems registered with the Federal Communications Commission
16 under 47 C.F.R. Part 68 when not used in conjunction with a
17 VoIP, Centrex ~~centrex~~ type, or ~~and~~ PBX systems. "Private
18 residential switch service" typically includes, but is not
19 limited to, apartment complexes, condominiums, and campus or
20 university environments where shared tenant service is
21 provided and where the usage of the telecommunications service
22 is primarily residential.

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

1 emergency services.

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

9 "Public safety answering point" or "PSAP" is a set of
10 call-takers authorized by a governing body and operating under
11 common management that receive 9-1-1 calls and asynchronous
12 event notifications for a defined geographic area and processes
13 those calls and events according to a specified operational
14 policy ~~means the initial answering location of an emergency~~
15 ~~call.~~

16 "Qualified governmental entity" means a unit of local
17 government authorized to provide 9-1-1 services pursuant to
18 this Act where no emergency telephone system board exists.

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

23 "Regular service" means any telecommunications service,
24 other than advanced service, that is capable of transporting
25 either the subscriber's inter-premises voice
26 telecommunications services to the public switched network or

1 the subscriber's 9-1-1 calls to the public agency.

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

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

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

16 "Statewide wireless emergency 9-1-1 system" means all
17 areas of the State where an emergency telephone system board
18 or, in the absence of an emergency telephone system board, a
19 qualified governmental entity, has not declared its intention
20 for one or more of its public safety answering points to serve
21 as a primary wireless 9-1-1 public safety answering point for
22 its jurisdiction. The operator of the statewide wireless
23 emergency 9-1-1 system shall be the Department of State Police.

24 "System" means the communications equipment and related
25 software applications required to produce a response by the
26 appropriate emergency public safety agency or other provider of

1 emergency services as a result of an emergency call being
2 placed to 9-1-1.

3 "System provider" means the contracted entity providing
4 9-1-1 network and database services.

5 "Telecommunications carrier" means those entities included
6 within the definition specified in Section 13-202 of the Public
7 Utilities Act, and includes those carriers acting as resellers
8 of telecommunications services. "Telecommunications carrier"
9 includes telephone systems operating as mutual concerns.
10 "Telecommunications carrier" does not include a wireless
11 carrier.

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

14 "Transfer method" means a 9-1-1 service in which the PSAP
15 telecommunicator receiving a call transfers that call to the
16 appropriate public safety agency or other provider of emergency
17 services.

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

20 "Trunk line" means a transmission path, or group of
21 transmission paths, connecting a subscriber's PBX to a
22 telecommunications carrier's public switched network. In the
23 case of regular service, each voice grade communications
24 channel or equivalent amount of bandwidth capable of
25 transporting either the subscriber's inter-premises voice
26 telecommunications services to the public switched network or

1 the subscriber's 9-1-1 calls to the public agency shall be
2 considered a trunk line, even if it is bundled with other
3 channels or additional bandwidth. In the case of advanced
4 service, each DS-1, T-1, or other ~~similar~~ un-channelized or
5 multi-channel transmission facility that is capable of
6 transporting either the subscriber's inter-premises voice
7 telecommunications services to the public switched network or
8 the subscriber's 9-1-1 calls to the public agency shall be
9 considered a single trunk line, even if it contains multiple
10 voice grade communications channels or otherwise supports 2 or
11 more voice grade calls at a time; provided, however, that each
12 additional increment of up to 24 voice grade channels ~~1.544~~
13 ~~Mbps~~ of transmission capacity that is capable of transporting
14 either the subscriber's inter-premises voice
15 telecommunications services to the public switched network or
16 the subscriber's 9-1-1 calls to the public agency shall be
17 considered an additional trunk line.

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

22 "Virtual answering point" or "VAP" means a temporary or
23 nonpermanent location that is capable of receiving an emergency
24 call, contains a fully functional worksite that is not bound to
25 a specific location, but rather is portable and scalable,
26 connecting emergency call takers or dispatchers to the work

1 process, and is capable of completing the call dispatching
2 process.

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

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

19 "Wireless enhanced 9-1-1" means the ability to relay the
20 telephone number of the originator of a 9-1-1 call and location
21 information from any mobile handset or text telephone device
22 accessing the wireless system to the designated wireless public
23 safety answering point as set forth in the order of the Federal
24 Communications Commission, FCC Docket No. 94-102, adopted June
25 12, 1996, with an effective date of October 1, 1996, and any
26 subsequent amendment thereto.

1 "Wireless public safety answering point" means the
2 functional division of a 9-1-1 authority accepting wireless
3 9-1-1 calls.

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

8 (Source: P.A. 99-6, eff. 1-1-16.)

9 (50 ILCS 750/8) (from Ch. 134, par. 38)

10 (Section scheduled to be repealed on July 1, 2017)

11 Sec. 8. The Administrator, with the advice and
12 recommendation of the Statewide 9-1-1 Advisory Board, shall
13 coordinate the implementation of systems established under
14 this Act. To assist with this coordination, all systems
15 authorized to operate under this Act shall register with the
16 Administrator information regarding its composition and
17 organization, including, but not limited to, identification of
18 all PSAPs, SAPs, VAPs, Backup PSAPs, and Unmanned Backup PSAPs.
19 The Department may adopt rules for the administration of this
20 Section.

21 (Source: P.A. 99-6, eff. 1-1-16.)

22 (50 ILCS 750/10) (from Ch. 134, par. 40)

23 (Section scheduled to be repealed on July 1, 2017)

24 Sec. 10.

1 (a) The Administrator, with the advice and recommendation
2 of the Statewide 9-1-1 Advisory Board, shall establish uniform
3 technical and operational standards for all 9-1-1 systems in
4 Illinois. All findings, orders, decisions, rules, and
5 regulations issued or promulgated by the Commission under this
6 Act or any other Act establishing or conferring power on the
7 Commission with respect to emergency telecommunications
8 services, shall continue in force. Notwithstanding the
9 provisions of this Section, where applicable, the
10 Administrator shall, with the advice and recommendation of the
11 Statewide 9-1-1 Advisory Board, amend the Commission's
12 findings, orders, decisions, rules, and regulations to conform
13 to the specific provisions of this Act as soon as practicable
14 after the effective date of this amendatory Act of the 99th
15 General Assembly.

16 (b) The Department may adopt emergency rules necessary to
17 implement the provisions of this amendatory Act of the 99th
18 General Assembly under subsection (t) of Section 5-45 of the
19 Illinois Administrative Procedure Act.

20 (c) Nothing in this Act shall deprive the Commission of any
21 authority to regulate the provision by telecommunication
22 carriers or 9-1-1 system service providers of
23 telecommunication or other services under the Public Utilities
24 Act.

25 (d) For rules that implicate both the regulation of 9-1-1
26 authorities under this Act and the regulation of

1 telecommunication carriers and 9-1-1 system service providers
2 under the Public Utilities Act, the Department and the
3 Commission may adopt joint rules necessary for implementation.

4 (e) Any findings, orders, or decisions of the Administrator
5 under this Section shall be deemed a final administrative
6 decision and shall be subject to judicial review under the
7 Administrative Review Law.

8 (Source: P.A. 99-6, eff. 1-1-16.)

9 (50 ILCS 750/10.3)

10 (Section scheduled to be repealed on July 1, 2017)

11 Sec. 10.3. Notice of address change. The Emergency
12 Telephone System Board or qualified governmental entity in any
13 county implementing a 9-1-1 system that changes any person's
14 address (when the person whose address has changed has not
15 moved to a new residence) shall notify the person (i) of the
16 person's new address and (ii) that the person should contact
17 the local election authority to determine if the person should
18 re-register to vote.

19 (Source: P.A. 90-664, eff. 7-30-98.)

20 (50 ILCS 750/12) (from Ch. 134, par. 42)

21 (Section scheduled to be repealed on July 1, 2017)

22 Sec. 12. The Attorney General may, on ~~in~~ behalf of the
23 Department or on his own initiative, commence judicial
24 proceedings to enforce compliance by any public agency or

1 public utility providing telephone service with this Act.

2 (Source: P.A. 99-6, eff. 1-1-16.)

3 (50 ILCS 750/14) (from Ch. 134, par. 44)

4 (Section scheduled to be repealed on July 1, 2017)

5 Sec. 14. The General Assembly declares that a major purpose
6 of in enacting this Act is to ensure that 9-1-1 systems have
7 redundant methods of dispatch for: (1) each public safety
8 agency within its jurisdiction, herein known as participating
9 agencies; and (2) 9-1-1 systems whose jurisdictional
10 boundaries are contiguous, herein known as adjacent 9-1-1
11 systems, when an emergency request for service is received for
12 a public safety agency that needs to be dispatched by the
13 adjacent 9-1-1 system. Another primary purpose of this Section
14 is to eliminate instances in which a public safety agency
15 responding emergency service refuses, once dispatched, to
16 render aid to the requester because the requester is outside of
17 the jurisdictional boundaries of the public safety agency
18 emergency service. Therefore, in implementing a 9-1-1 system
19 systems under this Act, all 9-1-1 authorities public agencies
20 in a single system shall enter into call handling and aid
21 outside jurisdictional boundaries agreements with each
22 participating agency and adjacent 9-1-1 system a joint powers
23 agreement or any other form of written cooperative agreement
24 which is applicable when need arises on a day-to-day basis.
25 Certified notification of the continuation of such agreements

1 ~~shall be made among the involved parties on an annual basis. In~~
2 ~~addition, such agreements shall be entered into between public~~
3 ~~agencies and public safety agencies which are part of different~~
4 ~~systems but whose jurisdictional boundaries are contiguous.~~
5 The agreements shall provide a primary and secondary means of
6 dispatch. It must also provide that, once an emergency unit is
7 dispatched in response to a request through the system, such
8 unit shall render its services to the requesting party without
9 regard to whether the unit is operating outside its normal
10 jurisdictional boundaries. Certified notification of the
11 continuation of call handling and aid outside jurisdictional
12 boundaries agreements shall be made among the involved parties
13 on an annual basis.

14 (Source: P.A. 86-101.)

15 (50 ILCS 750/15.2a) (from Ch. 134, par. 45.2a)

16 (Section scheduled to be repealed on July 1, 2017)

17 Sec. 15.2a. The installation of or connection to a
18 telephone company's network of any automatic alarm, automatic
19 alerting device, or mechanical dialer that causes the number
20 9-1-1 to be dialed in order to directly access emergency
21 services is prohibited in a 9-1-1 system.

22 This Section does not apply to a person who connects to a
23 9-1-1 network using automatic crash notification technology
24 subject to an established protocol.

25 This Section does not apply to devices used to enable

1 access to the 9-1-1 system for cognitively-impaired or special
2 needs persons or for persons with disabilities in an emergency
3 situation reported by a caregiver after initiating a missing
4 person's report. The device must have the capability to be
5 activated and controlled remotely by trained personnel at a
6 service center to prevent falsely activated or repeated calls
7 to the 9-1-1 system in a single incident. The device must have
8 the technical capability to generate location information to
9 the 9-1-1 system. Under no circumstances shall a device be sold
10 for use in a geographical jurisdiction where the 9-1-1 system
11 has not deployed wireless phase II location technology. The
12 alerting device shall also provide for either 2-way
13 communication or send a pre-recorded message to a 9-1-1
14 provider explaining the nature of the emergency so that the
15 9-1-1 provider will be able to dispatch the appropriate
16 emergency responder.

17 Violation of this Section is a Class A misdemeanor. A
18 second or subsequent violation of this Section is a Class 4
19 felony.

20 (Source: P.A. 99-143, eff. 7-27-15.)

21 (50 ILCS 750/15.3) (from Ch. 134, par. 45.3)

22 (Section scheduled to be repealed on July 1, 2017)

23 Sec. 15.3. Local non-wireless surcharge.

24 (a) Except as provided in subsection (1) of this Section,
25 the corporate authorities of any municipality or any county

1 may, subject to the limitations of subsections (c), (d), and
2 (h), and in addition to any tax levied pursuant to the
3 Simplified Municipal Telecommunications Tax Act, impose a
4 monthly surcharge on billed subscribers of network connection
5 provided by telecommunication carriers engaged in the business
6 of transmitting messages by means of electricity originating
7 within the corporate limits of the municipality or county
8 imposing the surcharge at a rate per network connection
9 determined in accordance with subsection (c), however the
10 monthly surcharge shall not apply to a network connection
11 provided for use with pay telephone services. Provided,
12 however, that where multiple voice grade communications
13 channels are connected between the subscriber's premises and a
14 public switched network through private branch exchange (PBX)
15 or centrex type service, a municipality imposing a surcharge at
16 a rate per network connection, as determined in accordance with
17 this Act, shall impose:

18 (i) in a municipality with a population of 500,000 or
19 less or in any county, 5 such surcharges per network
20 connection, as defined under Section 2 ~~determined in~~
21 ~~accordance with subsections (a) and (d) of Section 2.12~~ of
22 this Act, for both regular service and advanced service
23 provisioned trunk lines;

24 (ii) in a municipality with a population, prior to
25 March 1, 2010, of 500,000 or more, 5 surcharges per network
26 connection, as defined under Section 2 ~~determined in~~

1 ~~accordance with subsections (a) and (d) of Section 2.12~~ of
2 this Act, for both regular service and advanced service
3 provisioned trunk lines;

4 (iii) in a municipality with a population, as of March
5 1, 2010, of 500,000 or more, 5 surcharges per network
6 connection, as defined under Section 2 ~~determined in~~
7 ~~accordance with subsections (a) and (d) of Section 2.12~~ of
8 this Act, for regular service provisioned trunk lines, and
9 12 surcharges per network connection, as defined under
10 Section 2 ~~determined in accordance with subsections (a) and~~
11 ~~(d) of Section 2.12~~ of this Act, for advanced service
12 provisioned trunk lines, except where an advanced service
13 provisioned trunk line supports at least 2 but fewer than
14 23 simultaneous voice grade calls ("VGC's"), a
15 telecommunication carrier may elect to impose fewer than 12
16 surcharges per trunk line as provided in subsection (iv) of
17 this Section; or

18 (iv) for an advanced service provisioned trunk line
19 connected between the subscriber's premises and the public
20 switched network through a P.B.X., where the advanced
21 service provisioned trunk line is capable of transporting
22 at least 2 but fewer than 23 simultaneous VGC's per trunk
23 line, the telecommunications carrier collecting the
24 surcharge may elect to impose surcharges in accordance with
25 the table provided in this Section, without limiting any
26 telecommunications carrier's obligations to otherwise keep

1 and maintain records. Any telecommunications carrier
 2 electing to impose fewer than 12 surcharges per an advanced
 3 service provisioned trunk line shall keep and maintain
 4 records adequately to demonstrate the VGC capability of
 5 each advanced service provisioned trunk line with fewer
 6 than 12 surcharges imposed, provided that 12 surcharges
 7 shall be imposed on an advanced service provisioned trunk
 8 line regardless of the VGC capability where a
 9 telecommunications carrier cannot demonstrate the VGC
 10 capability of the advanced service provisioned trunk line.

11	Facility	VGC's	911 Surcharges
12	Advanced service provisioned trunk line	18-23	12
13	Advanced service provisioned trunk line	12-17	10
14	Advanced service provisioned trunk line	2-11	8

15 Subsections (i), (ii), (iii), and (iv) are not intended to
 16 make any change in the meaning of this Section, but are
 17 intended to remove possible ambiguity, thereby confirming the
 18 intent of paragraph (a) as it existed prior to and following
 19 the effective date of this amendatory Act of the 97th General
 20 Assembly.

21 For mobile telecommunications services, if a surcharge is
 22 imposed it shall be imposed based upon the municipality or
 23 county that encompasses the customer's place of primary use as
 24 defined in the Mobile Telecommunications Sourcing Conformity

1 Act. A municipality may enter into an intergovernmental
2 agreement with any county in which it is partially located,
3 when the county has adopted an ordinance to impose a surcharge
4 as provided in subsection (c), to include that portion of the
5 municipality lying outside the county in that county's
6 surcharge referendum. If the county's surcharge referendum is
7 approved, the portion of the municipality identified in the
8 intergovernmental agreement shall automatically be
9 disconnected from the county in which it lies and connected to
10 the county which approved the referendum for purposes of a
11 surcharge on telecommunications carriers.

12 (b) For purposes of computing the surcharge imposed by
13 subsection (a), the network connections to which the surcharge
14 shall apply shall be those in-service network connections,
15 other than those network connections assigned to the
16 municipality or county, where the service address for each such
17 network connection or connections is located within the
18 corporate limits of the municipality or county levying the
19 surcharge. Except for mobile telecommunication services, the
20 "service address" shall mean the location of the primary use of
21 the network connection or connections. For mobile
22 telecommunication services, "service address" means the
23 customer's place of primary use as defined in the Mobile
24 Telecommunications Sourcing Conformity Act.

25 (c) Upon the passage of an ordinance to impose a surcharge
26 under this Section the clerk of the municipality or county

1 shall certify the question of whether the surcharge may be
 2 imposed to the proper election authority who shall submit the
 3 public question to the electors of the municipality or county
 4 in accordance with the general election law; provided that such
 5 question shall not be submitted at a consolidated primary
 6 election. The public question shall be in substantially the
 7 following form:

8 -----

9 Shall the county (or city, village
 10 or incorporated town) of impose YES
 11 a surcharge of up to ...¢ per month per
 12 network connection, which surcharge will
 13 be added to the monthly bill you receive -----
 14 for telephone or telecommunications
 15 charges, for the purpose of installing
 16 (or improving) a 9-1-1 Emergency NO
 17 Telephone System?

18 -----

19 If a majority of the votes cast upon the public question
 20 are in favor thereof, the surcharge shall be imposed.

21 However, if a Joint Emergency Telephone System Board is to
 22 be created pursuant to an intergovernmental agreement under
 23 Section 15.4, the ordinance to impose the surcharge shall be
 24 subject to the approval of a majority of the total number of
 25 votes cast upon the public question by the electors of all of
 26 the municipalities or counties, or combination thereof, that

1 are parties to the intergovernmental agreement.

2 The referendum requirement of this subsection (c) shall not
3 apply to any municipality with a population over 500,000 or to
4 any county in which a proposition as to whether a sophisticated
5 9-1-1 Emergency Telephone System should be installed in the
6 county, at a cost not to exceed a specified monthly amount per
7 network connection, has previously been approved by a majority
8 of the electors of the county voting on the proposition at an
9 election conducted before the effective date of this amendatory
10 Act of 1987.

11 (d) A county may not impose a surcharge, unless requested
12 by a municipality, in any incorporated area which has
13 previously approved a surcharge as provided in subsection (c)
14 or in any incorporated area where the corporate authorities of
15 the municipality have previously entered into a binding
16 contract or letter of intent with a telecommunications carrier
17 to provide sophisticated 9-1-1 service through municipal
18 funds.

19 (e) A municipality or county may at any time by ordinance
20 change the rate of the surcharge imposed under this Section if
21 the new rate does not exceed the rate specified in the
22 referendum held pursuant to subsection (c).

23 (f) The surcharge authorized by this Section shall be
24 collected from the subscriber by the telecommunications
25 carrier providing the subscriber the network connection as a
26 separately stated item on the subscriber's bill.

1 (g) The amount of surcharge collected by the
2 telecommunications carrier shall be paid to the particular
3 municipality or county or Joint Emergency Telephone System
4 Board not later than 30 days after the surcharge is collected,
5 net of any network or other 9-1-1 or sophisticated 9-1-1 system
6 charges then due the particular telecommunications carrier, as
7 shown on an itemized bill. The telecommunications carrier
8 collecting the surcharge shall also be entitled to deduct 3% of
9 the gross amount of surcharge collected to reimburse the
10 telecommunications carrier for the expense of accounting and
11 collecting the surcharge.

12 (h) Except as expressly provided in subsection (a) of this
13 Section, on or after the effective date of this amendatory Act
14 of the 98th General Assembly and until December 31, 2017, ~~July~~
15 ~~1, 2017,~~ a municipality with a population of 500,000 or more
16 shall not impose a monthly surcharge per network connection in
17 excess of the highest monthly surcharge imposed as of January
18 1, 2014 by any county or municipality under subsection (c) of
19 this Section. Beginning January 1, 2018 and until December 31,
20 2020, a municipality with a population over 500,000 may not
21 impose a monthly surcharge in excess of \$5.00 per network
22 connection. On or after January 1, 2021, ~~July 1, 2017,~~ a
23 municipality with a population over 500,000 may not impose a
24 monthly surcharge in excess of \$2.50 per network connection.

25 (i) Any municipality or county or joint emergency telephone
26 system board that has imposed a surcharge pursuant to this

1 Section prior to the effective date of this amendatory Act of
2 1990 shall hereafter impose the surcharge in accordance with
3 subsection (b) of this Section.

4 (j) The corporate authorities of any municipality or county
5 may issue, in accordance with Illinois law, bonds, notes or
6 other obligations secured in whole or in part by the proceeds
7 of the surcharge described in this Section. The State of
8 Illinois pledges and agrees that it will not limit or alter the
9 rights and powers vested in municipalities and counties by this
10 Section to impose the surcharge so as to impair the terms of or
11 affect the security for bonds, notes or other obligations
12 secured in whole or in part with the proceeds of the surcharge
13 described in this Section. The pledge and agreement set forth
14 in this Section survive the termination of the surcharge under
15 subsection (l) by virtue of the replacement of the surcharge
16 monies guaranteed under Section 20; the State of Illinois
17 pledges and agrees that it will not limit or alter the rights
18 vested in municipalities and counties to the surcharge
19 replacement funds guaranteed under Section 20 so as to impair
20 the terms of or affect the security for bonds, notes or other
21 obligations secured in whole or in part with the proceeds of
22 the surcharge described in this Section.

23 (k) Any surcharge collected by or imposed on a
24 telecommunications carrier pursuant to this Section shall be
25 held to be a special fund in trust for the municipality, county
26 or Joint Emergency Telephone Board imposing the surcharge.

1 Except for the 3% deduction provided in subsection (g) above,
2 the special fund shall not be subject to the claims of
3 creditors of the telecommunication carrier.

4 ~~(1) On and after the effective date of this amendatory Act~~
5 ~~of the 99th General Assembly, no county or municipality, other~~
6 ~~than a municipality with a population over 500,000, may impose~~
7 ~~a monthly surcharge under this Section in excess of the amount~~
8 ~~imposed by it on the effective date of this Act.~~ Any surcharge
9 imposed pursuant to this Section by a county or municipality,
10 other than a municipality with a population in excess of
11 500,000, shall cease to be imposed on January 1, 2016.

12 (Source: P.A. 98-634, eff. 6-6-14; 99-6, eff. 6-29-15.)

13 (50 ILCS 750/15.3a)

14 (Section scheduled to be repealed on July 1, 2017)

15 Sec. 15.3a. Local wireless surcharge.

16 (a) Notwithstanding any other provision of this Act, a unit
17 of local government or emergency telephone system board
18 providing wireless 9-1-1 service and imposing and collecting a
19 wireless carrier surcharge prior to July 1, 1998 may continue
20 its practices of imposing and collecting its wireless carrier
21 surcharge, but, except as provided in subsection (b) of this
22 Section, in no event shall that monthly surcharge exceed \$2.50
23 per commercial mobile radio service (CMRS) connection or
24 in-service telephone number billed on a monthly basis. For
25 mobile telecommunications services provided on and after

1 August 1, 2002, any surcharge imposed shall be imposed based
2 upon the municipality or county that encompasses the customer's
3 place of primary use as defined in the Mobile
4 Telecommunications Sourcing Conformity Act.

5 (b) Until December 31, 2017, ~~July 1, 2017~~, the corporate
6 authorities of a municipality with a population in excess of
7 500,000 on the effective date of this amendatory Act of the
8 99th General Assembly may by ordinance continue to impose and
9 collect a monthly surcharge per commercial mobile radio service
10 (CMRS) connection or in-service telephone number billed on a
11 monthly basis that does not exceed the highest monthly
12 surcharge imposed as of January 1, 2014 by any county or
13 municipality under subsection (c) of Section 15.3 of this Act.
14 Beginning January 1, 2018, and until December 31, 2020, a
15 municipality with a population in excess of 500,000 may by
16 ordinance continue to impose and collect a monthly surcharge
17 per commercial mobile radio service (CMRS) connection or
18 in-service telephone number billed on a monthly basis that does
19 not exceed \$5.00. On or after January 1, 2021, ~~July 1, 2017~~,
20 the municipality may continue imposing and collecting its
21 wireless carrier surcharge as provided in and subject to the
22 limitations of subsection (a) of this Section.

23 (c) In addition to any other lawful purpose, a municipality
24 with a population over 500,000 may use the moneys collected
25 under this Section for any anti-terrorism or emergency
26 preparedness measures, including, but not limited to,

1 preparedness planning, providing local matching funds for
2 federal or State grants, personnel training, and specialized
3 equipment, including surveillance cameras, as needed to deal
4 with natural and terrorist-inspired emergency situations or
5 events.

6 (Source: P.A. 99-6, eff. 1-1-16.)

7 (50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

8 (Section scheduled to be repealed on July 1, 2017)

9 Sec. 15.4. Emergency Telephone System Board; powers.

10 (a) Except as provided in subsection (e) of this Section,
11 the corporate authorities of any county or municipality may
12 establish an Emergency Telephone System Board.

13 The corporate authorities shall provide for the manner of
14 appointment and the number of members of the Board, provided
15 that the board shall consist of not fewer than 5 members, one
16 of whom must be a public member who is a resident of the local
17 exchange service territory included in the 9-1-1 coverage area,
18 one of whom (in counties with a population less than 100,000)
19 may be a member of the county board, and at least 3 of whom
20 shall be representative of the 9-1-1 public safety agencies,
21 including but not limited to police departments, fire
22 departments, emergency medical services providers, and
23 emergency services and disaster agencies, and appointed on the
24 basis of their ability or experience. In counties with a
25 population of more than 100,000 but less than 2,000,000, a

1 member of the county board may serve on the Emergency Telephone
2 System Board. Elected officials, including members of a county
3 board, are also eligible to serve on the board. Members of the
4 board shall serve without compensation but shall be reimbursed
5 for their actual and necessary expenses. Any 2 or more
6 municipalities, counties, or combination thereof, may, instead
7 of establishing individual boards, establish by
8 intergovernmental agreement a Joint Emergency Telephone System
9 Board pursuant to this Section. The manner of appointment of
10 such a joint board shall be prescribed in the agreement. On or
11 after the effective date of this amendatory Act of the 100th
12 General Assembly, any new intergovernmental agreement entered
13 into to establish or join a Joint Emergency Telephone System
14 Board shall provide for the appointment of a PSAP
15 representative to the board.

16 Upon the effective date of this amendatory Act of the 98th
17 General Assembly, appointed members of the Emergency Telephone
18 System Board shall serve staggered 3-year terms if: (1) the
19 Board serves a county with a population of 100,000 or less; and
20 (2) appointments, on the effective date of this amendatory Act
21 of the 98th General Assembly, are not for a stated term. The
22 corporate authorities of the county or municipality shall
23 assign terms to the board members serving on the effective date
24 of this amendatory Act of the 98th General Assembly in the
25 following manner: (1) one-third of board members' terms shall
26 expire on January 1, 2015; (2) one-third of board members'

1 terms shall expire on January 1, 2016; and (3) remaining board
2 members' terms shall expire on January 1, 2017. Board members
3 may be re-appointed upon the expiration of their terms by the
4 corporate authorities of the county or municipality.

5 The corporate authorities of a county or municipality may,
6 by a vote of the majority of the members elected, remove an
7 Emergency Telephone System Board member for misconduct,
8 official misconduct, or neglect of office.

9 (b) The powers and duties of the board shall be defined by
10 ordinance of the municipality or county, or by
11 intergovernmental agreement in the case of a joint board. The
12 powers and duties shall include, but need not be limited to the
13 following:

14 (1) Planning a 9-1-1 system.

15 (2) Coordinating and supervising the implementation,
16 upgrading, or maintenance of the system, including the
17 establishment of equipment specifications and coding
18 systems.

19 (3) Receiving moneys from the surcharge imposed under
20 Section 15.3, or disbursed to it under Section 30, and from
21 any other source, for deposit into the Emergency Telephone
22 System Fund.

23 (4) Authorizing all disbursements from the fund.

24 (5) Hiring any staff necessary for the implementation
25 or upgrade of the system.

26 (6) (Blank).

1 (c) All moneys received by a board pursuant to a surcharge
2 imposed under Section 15.3, or disbursed to it under Section
3 30, shall be deposited into a separate interest-bearing
4 Emergency Telephone System Fund account. The treasurer of the
5 municipality or county that has established the board or, in
6 the case of a joint board, any municipal or county treasurer
7 designated in the intergovernmental agreement, shall be
8 custodian of the fund. All interest accruing on the fund shall
9 remain in the fund. No expenditures may be made from such fund
10 except upon the direction of the board by resolution passed by
11 a majority of all members of the board.

12 (d) The board shall complete a Master Street Address Guide
13 database before implementation of the 9-1-1 system. The error
14 ratio of the database shall not at any time exceed 1% of the
15 total database.

16 (e) On and after January 1, 2016, no municipality or county
17 may create an Emergency Telephone System Board unless the board
18 is a Joint Emergency Telephone System Board. The corporate
19 authorities of any county or municipality entering into an
20 intergovernmental agreement to create or join a Joint Emergency
21 Telephone System Board shall rescind an ~~the~~ ordinance or
22 ordinances creating a single ~~the original~~ Emergency Telephone
23 System Board and shall eliminate the single Emergency Telephone
24 System Board, effective upon the creation of the Joint
25 Emergency Telephone System Board, with regulatory approval by
26 the Administrator, or joining of the Joint Emergency Telephone

1 System Board. Nothing in this Section shall be construed to
2 require the dissolution of an Emergency Telephone System Board
3 that is not succeeded by a Joint Emergency Telephone System
4 Board or is not required to consolidate under Section 15.4a of
5 this Act.

6 (f) Within one year after the effective date of this
7 amendatory Act of the 100th General Assembly, any corporate
8 authorities of a county or municipality, other than a
9 municipality with a population of more than 500,000, operating
10 a 9-1-1 system without an Emergency Telephone System Board or
11 Joint Emergency Telephone System Board shall create or join a
12 Joint Emergency Telephone System Board.

13 (Source: P.A. 98-481, eff. 8-16-13; 99-6, eff. 1-1-16.)

14 (50 ILCS 750/15.4a)

15 (Section scheduled to be repealed on July 1, 2017)

16 Sec. 15.4a. Consolidation.

17 (a) By July 1, 2017, and except as otherwise provided in
18 this Section, Emergency Telephone System Boards, Joint
19 Emergency Telephone System Boards, qualified governmental
20 entities, and PSAPs shall be consolidated as follows, subject
21 to subsections (b) and (c) of this Section:

22 (1) In any county with a population of at least 250,000
23 that has a single Emergency Telephone System Board, or
24 qualified governmental entity and more than 2 PSAPs, shall
25 reduce the number of PSAPs by at least 50% or to 2 PSAPs,

1 whichever is greater. Nothing in this paragraph shall
2 preclude consolidation resulting in one PSAP in the county.

3 (2) In any county with a population of at least 250,000
4 that has more than one Emergency Telephone System Board,
5 Joint Emergency Telephone System Board, or qualified
6 governmental entity, any 9-1-1 Authority serving a
7 population of less than 25,000 shall be consolidated such
8 that no 9-1-1 Authority in the county serves a population
9 of less than 25,000.

10 (3) In any county with a population of at least 250,000
11 but less than 1,000,000 that has more than one Emergency
12 Telephone System Board, Joint Emergency Telephone System
13 Board, or qualified governmental entity, each 9-1-1
14 Authority shall reduce the number of PSAPs by at least 50%
15 or to 2 PSAPs, whichever is greater. Nothing in this
16 paragraph shall preclude consolidation of a 9-1-1
17 Authority into a Joint Emergency Telephone System Board,
18 and nothing in this paragraph shall preclude consolidation
19 resulting in one PSAP in the county.

20 (4) In any county with a population of less than
21 250,000 that has a single Emergency Telephone System Board
22 or qualified governmental entity and more than 2 PSAPs, the
23 9-1-1 Authority shall reduce the number of PSAPs by at
24 least 50% or to 2 PSAPs, whichever is greater. Nothing in
25 this paragraph shall preclude consolidation resulting in
26 one PSAP in the county.

1 (5) In any county with a population of less than
2 250,000 that has more than one Emergency Telephone System
3 Board, Joint Emergency Telephone System Board, or
4 qualified governmental entity and more than 2 PSAPs, the
5 9-1-1 Authorities shall be consolidated into a single joint
6 board, and the number of PSAPs shall be reduced by at least
7 50% or to 2 PSAPs, whichever is greater. Nothing in this
8 paragraph shall preclude consolidation resulting in one
9 PSAP in the county.

10 (6) Any 9-1-1 Authority that does not have a PSAP
11 within its jurisdiction shall be consolidated through an
12 intergovernmental agreement with an existing 9-1-1
13 Authority that has a PSAP to create a Joint Emergency
14 Telephone Board.

15 (7) The corporate authorities of each county that has
16 no 9-1-1 service as of January 1, 2016 shall provide
17 enhanced 9-1-1 wireline and wireless enhanced 9-1-1
18 service for that county by either (i) entering into an
19 intergovernmental agreement with an existing Emergency
20 Telephone System Board to create a new Joint Emergency
21 Telephone System Board, or (ii) entering into an
22 intergovernmental agreement with the corporate authorities
23 that have created an existing Joint Emergency Telephone
24 System Board.

25 (b) By July 1, 2016, each county required to consolidate
26 pursuant to paragraph (7) of subsection (a) of this Section and

1 each 9-1-1 Authority required to consolidate pursuant to
2 paragraphs (1) through (6) of subsection (a) of this Section
3 shall file a plan for consolidation or a request for a waiver
4 pursuant to subsection (c) of this Section with the Office
5 ~~Division~~ of the Statewide 9-1-1 Administrator.

6 (1) No county or 9-1-1 Authority may avoid the
7 requirements of this Section by converting primary PSAPs to
8 secondary or virtual answering points. Any county or 9-1-1
9 Authority not in compliance with this Section shall be
10 ineligible to receive consolidation grant funds issued
11 under Section 15.4b of this Act or monthly disbursements
12 otherwise due under Section 30 of this Act, until the
13 county or 9-1-1 Authority is in compliance.

14 (2) Within 60 calendar days of receiving a
15 consolidation plan, the Statewide 9-1-1 Advisory Board
16 shall hold at least one public hearing on the plan and
17 provide a recommendation to the Administrator. Notice of
18 the hearing shall be provided to the respective entity to
19 which the plan applies.

20 (3) Within 90 calendar days of receiving a
21 consolidation plan, the Administrator shall approve the
22 plan, approve the plan as modified, or grant a waiver
23 pursuant to subsection (c) of this Section. In making his
24 or her decision, the Administrator shall consider any
25 recommendation from the Statewide 9-1-1 Advisory Board
26 regarding the plan. If the Administrator does not follow

1 the recommendation of the Board, the Administrator shall
2 provide a written explanation for the deviation in his or
3 her decision.

4 (4) The deadlines provided in this subsection may be
5 extended upon agreement between the Administrator and
6 entity which submitted the plan.

7 (c) A waiver from a consolidation required under subsection
8 (a) of this Section may be granted if the Administrator finds
9 that the consolidation will result in a substantial threat to
10 public safety, is economically unreasonable, or is technically
11 infeasible.

12 (d) Any decision of the Administrator under this Section
13 shall be deemed a final administrative decision and shall be
14 subject to judicial review under the Administrative Review Law.
15 (Source: P.A. 99-6, eff. 1-1-16.)

16 (50 ILCS 750/15.4b)

17 (Section scheduled to be repealed on July 1, 2017)

18 Sec. 15.4b. Consolidation grants.

19 (a) The Administrator, with the advice and recommendation
20 of the Statewide 9-1-1 Advisory Board, shall administer a 9-1-1
21 System Consolidation Grant Program to defray costs associated
22 with 9-1-1 system consolidation of systems outside of a
23 municipality with a population in excess of 500,000. The
24 awarded grants will be used to offset non-recurring costs
25 associated with the consolidation of 9-1-1 systems and shall

1 not be used for ongoing operating costs associated with the
2 consolidated system. The Department, in consultation with the
3 Administrator and the Statewide 9-1-1 Advisory Board, shall
4 adopt rules defining the grant process and criteria for issuing
5 the grants. The grants should be awarded based on criteria that
6 include, but are not limited to:

7 (1) reducing the number of transfers of a 9-1-1 call;

8 (2) reducing the infrastructure required to adequately
9 provide 9-1-1 network services;

10 (3) promoting cost savings from resource sharing among
11 9-1-1 systems;

12 (4) facilitating interoperability and resiliency for
13 the receipt of 9-1-1 calls;

14 (5) reducing the number of 9-1-1 systems or reducing
15 the number of PSAPs within a 9-1-1 system;

16 (6) cost saving resulting from 9-1-1 system
17 consolidation; and

18 (7) expanding E9-1-1 service coverage as a result of
19 9-1-1 system consolidation including to areas without
20 E9-1-1 service.

21 Priority shall be given first to counties not providing
22 9-1-1 service as of January 1, 2016, and next to other entities
23 consolidating as required under Section 15.4a of this Act.

24 (b) The 9-1-1 System Consolidation Grant application, as
25 defined by Department rules, shall be submitted electronically
26 to the Administrator starting January 2, 2016, and every

1 January 2 thereafter. The application shall include a modified
2 9-1-1 system plan as required by this Act in support of the
3 consolidation plan. The Administrator shall have until June 30,
4 2016 and every June 30 thereafter to approve 9-1-1 System
5 Consolidation grants and modified 9-1-1 system plans. Payment
6 under the approved 9-1-1 System Consolidation grants shall be
7 contingent upon the final approval of a modified 9-1-1 system
8 plan.

9 (c) Existing and previously completed consolidation
10 projects shall be eligible to apply for reimbursement of costs
11 related to the consolidation incurred between 2010 and the
12 State fiscal year of the application.

13 (d) The 9-1-1 systems that receive grants under this
14 Section shall provide a report detailing grant fund usage to
15 the Administrator pursuant to Section 40 of this Act.

16 (Source: P.A. 99-6, eff. 1-1-16.)

17 (50 ILCS 750/15.6a)

18 (Section scheduled to be repealed on July 1, 2017)

19 Sec. 15.6a. Wireless emergency 9-1-1 service.

20 (a) The digits "9-1-1" shall be the designated emergency
21 telephone number within the wireless system.

22 (b) The Department may set non-discriminatory and uniform
23 technical and operational standards consistent with the rules
24 of the Federal Communications Commission for directing calls to
25 authorized public safety answering points. These standards

1 shall not in any way prescribe the technology or manner a
2 wireless carrier shall use to deliver wireless 9-1-1 or
3 wireless E9-1-1 calls, and these standards shall not exceed the
4 requirements set by the Federal Communications Commission;
5 however, standards for directing calls to the authorized public
6 safety answering point shall be included. The authority given
7 to the Department in this Section is limited to setting
8 standards as set forth herein and does not constitute authority
9 to regulate wireless carriers.

10 (c) For the purpose of providing wireless 9-1-1 emergency
11 services, an emergency telephone system board or, in the
12 absence of an emergency telephone system board, a qualified
13 governmental entity, may declare its intention for one or more
14 of its public safety answering points to serve as a primary
15 wireless 9-1-1 public safety answering point for its
16 jurisdiction by notifying the Administrator in writing within 6
17 months after receiving its authority to operate a 9-1-1 system
18 under this Act. In addition, 2 or more emergency telephone
19 system boards or qualified governmental entities may, by virtue
20 of an intergovernmental agreement, provide wireless 9-1-1
21 service. Until the jurisdiction comes into compliance with
22 Section 15.4a of this Act, the ~~The~~ Department of State Police
23 shall be the primary wireless 9-1-1 public safety answering
24 point for any jurisdiction that did not provide notice to the
25 Illinois Commerce Commission and the Department prior to
26 January 1, 2016.

1 (d) The Administrator, upon a request from a qualified
2 governmental entity or an emergency telephone system board and
3 with the advice and recommendation of the Statewide 9-1-1
4 Advisory Board, may grant authority to the emergency telephone
5 system board or a qualified governmental entity to provide
6 wireless 9-1-1 service in areas for which the Department has
7 accepted wireless 9-1-1 responsibility. The Administrator
8 shall maintain a current list of all 9-1-1 systems and
9 qualified governmental entities providing wireless 9-1-1
10 service under this Act.

11 (Source: P.A. 99-6, eff. 1-1-16.)

12 (50 ILCS 750/17.5 new)

13 Sec. 17.5. 9-1-1 call transfer, forward, or relay.

14 (a) The General Assembly finds the following:

15 (1) Some 9-1-1 systems throughout this State do not
16 have a procedure in place to manually transfer, forward, or
17 relay 9-1-1 calls originating within one 9-1-1 system's
18 jurisdiction, but which should properly be answered and
19 dispatched by another 9-1-1 system, to the appropriate
20 9-1-1 system for answering and dispatch of first
21 responders.

22 (2) On January 1, 2016, the General Assembly gave
23 oversight authority of 9-1-1 systems to the Department of
24 State Police.

25 (3) Since that date, the Department of State Police has

1 authorized individual 9-1-1 systems in counties and
2 municipalities to implement and upgrade enhanced 9-1-1
3 systems throughout the State.

4 (b) The Department shall prepare a directory of all
5 authorized 9-1-1 systems in the State. The directory shall
6 include an emergency 24/7 10-digit telephone number for all
7 primary public safety answering points located in each 9-1-1
8 system to which 9-1-1 calls from another jurisdiction can be
9 transferred. This directory shall be made available to each
10 9-1-1 authority for its use in establishing standard operating
11 procedures regarding calls outside its 9-1-1 jurisdiction.

12 (c) Each 9-1-1 system shall provide the Department with the
13 following information:

14 (1) The name of the PSAP, a list of every participating
15 agency, and the county the PSAP is in, including college
16 and university public safety entities.

17 (2) The 24/7 10-digit emergency telephone number and
18 email address for the dispatch agency to which 9-1-1 calls
19 originating in another 9-1-1 jurisdiction can be
20 transferred or by which the PSAP can be contacted via email
21 to exchange information. Each 9-1-1 system shall provide
22 the Department with any changes to the participating
23 agencies and this number and email address immediately upon
24 the change occurring. Each 9-1-1 system shall provide the
25 PSAP information, the 24/7 10-digit emergency telephone
26 number and email address to the Manager of the Department's

1 9-1-1 Program within 30 days of the effective date of this
2 amendatory Act of the 100th General Assembly.

3 (3) The standard operating procedure describing the
4 manner in which the 9-1-1 system will transfer, forward, or
5 relay 9-1-1 calls originating within its jurisdiction, but
6 which should properly be answered and dispatched by another
7 9-1-1 system, to the appropriate 9-1-1 system. Each 9-1-1
8 system shall provide the standard operating procedures to
9 the Manager of the Department's 9-1-1 Program within 180
10 days after the effective date of this amendatory Act of the
11 100th General Assembly.

12 (50 ILCS 750/19)

13 (Section scheduled to be repealed on July 1, 2017)

14 Sec. 19. Statewide 9-1-1 Advisory Board.

15 (a) Beginning July 1, 2015, there is created the Statewide
16 9-1-1 Advisory Board within the Department of State Police. The
17 Board shall consist of the following 11 voting members:

18 (1) The Director of the State Police, or his or her
19 designee, who shall serve as chairman.

20 (2) The Executive Director of the Commission, or his or
21 her designee.

22 (3) Nine members appointed by the Governor as follows:

23 (A) one member representing the Illinois chapter
24 of the National Emergency Number Association, or his or
25 her designee;

1 (B) one member representing the Illinois chapter
2 of the Association of Public-Safety Communications
3 Officials, or his or her designee;

4 (C) one member representing a county 9-1-1 system
5 from a county with a population of less than 50,000;

6 (D) one member representing a county 9-1-1 system
7 from a county with a population between 50,000 and
8 250,000;

9 (E) one member representing a county 9-1-1 system
10 from a county with a population of more than 250,000;

11 (F) one member representing a municipality with a
12 population of less than 500,000 in a county with a
13 population in excess of 2,000,000;

14 (G) one member representing the Illinois
15 Association of Chiefs of Police;

16 (H) one member representing the Illinois Sheriffs'
17 Association; and

18 (I) one member representing the Illinois Fire
19 Chiefs Association.

20 The Governor shall appoint the following non-voting
21 members: (i) one member representing an incumbent local
22 exchange 9-1-1 system provider; (ii) one member representing a
23 non-incumbent local exchange 9-1-1 system provider; (iii) one
24 member representing a large wireless carrier; (iv) one member
25 representing an incumbent local exchange ~~a small wireless~~
26 carrier; ~~and~~ (v) one member representing the Illinois

1 Telecommunications Association; (vi) one member representing
2 the Cable Television and Communication Association of
3 Illinois; and (vii) one member representing the Illinois State
4 Ambulance Association. The Speaker of the House of
5 Representatives, the Minority Leader of the House of
6 Representatives, the President of the Senate, and the Minority
7 Leader of the Senate may each appoint a member of the General
8 Assembly to temporarily serve as a non-voting member of the
9 Board during the 12 months prior to the repeal date of this Act
10 to discuss legislative initiatives of the Board.

11 (b) The Governor shall make initial appointments to the
12 Statewide 9-1-1 Advisory Board by August 31, 2015. Six of the
13 voting members appointed by the Governor shall serve an initial
14 term of 2 years, and the remaining voting members appointed by
15 the Governor shall serve an initial term of 3 years.
16 Thereafter, each appointment by the Governor shall be for a
17 term of 3 years. Non-voting members shall serve for a term of 3
18 years. Vacancies shall be filled in the same manner as the
19 original appointment. Persons appointed to fill a vacancy shall
20 serve for the balance of the unexpired term.

21 Members of the Statewide 9-1-1 Advisory Board shall serve
22 without compensation.

23 (c) The 9-1-1 Services Advisory Board, as constituted on
24 June 1, 2015 without the legislative members, shall serve in
25 the role of the Statewide 9-1-1 Advisory Board until all
26 appointments of voting members have been made by the Governor

1 under subsection (a) of this Section.

2 (d) The Statewide 9-1-1 Advisory Board shall:

3 (1) advise the Department of State Police and the
4 Statewide 9-1-1 Administrator on the oversight of 9-1-1
5 systems and the development and implementation of a uniform
6 statewide 9-1-1 system;

7 (2) make recommendations to the Governor and the
8 General Assembly regarding improvements to 9-1-1 services
9 throughout the State; and

10 (3) exercise all other powers and duties provided in
11 this Act.

12 (e) The Statewide 9-1-1 Advisory Board shall submit to the
13 General Assembly a report by March 1 of each year providing an
14 update on the transition to a statewide 9-1-1 system and
15 recommending any legislative action.

16 (f) The Department of State Police shall provide
17 administrative support to the Statewide 9-1-1 Advisory Board.

18 (Source: P.A. 99-6, eff. 6-29-15.)

19 (50 ILCS 750/20)

20 (Section scheduled to be repealed on July 1, 2017)

21 Sec. 20. Statewide surcharge.

22 (a) On and after January 1, 2016, and except with respect
23 to those customers who are subject to surcharges as provided in
24 Sections 15.3 and 15.3a of this Act, a monthly surcharge shall
25 be imposed on all customers of telecommunications carriers and

1 wireless carriers as follows:

2 (1) Each telecommunications carrier shall impose a
3 monthly surcharge ~~of \$0.87~~ per network connection;
4 provided, however, the monthly surcharge shall not apply to
5 a network connection provided for use with pay telephone
6 services. Where multiple voice grade communications
7 channels are connected between the subscriber's premises
8 and a public switched network through private branch
9 exchange (PBX), ~~or~~ centrex type service, or other multiple
10 voice grade communication channels facility, there shall
11 be imposed 5 such surcharges per network connection for
12 both regular service and advanced service provisioned
13 trunk lines. Until December 31, 2017, the surcharge shall
14 be \$0.87 per network connection and on and after January 1,
15 2018, the surcharge shall be \$1.50 per network connection.

16 (2) Each wireless carrier shall impose and collect a
17 monthly surcharge ~~of \$0.87~~ per CMRS connection that either
18 has a telephone number within an area code assigned to
19 Illinois by the North American Numbering Plan
20 Administrator or has a billing address in this State. Until
21 December 31, 2017, the surcharge shall be \$0.87 per
22 connection and on and after January 1, 2018, the surcharge
23 shall be \$1.50 per connection.

24 (b) State and local taxes shall not apply to the surcharges
25 imposed under this Section.

26 (c) The surcharges imposed by this Section shall be stated

1 as a separately stated item on subscriber bills.

2 (d) The telecommunications carrier collecting the
3 surcharge may deduct and retain an amount not to exceed ~~shall~~
4 ~~also be entitled to deduct~~ 3% of the gross amount of surcharge
5 collected to reimburse the telecommunications carrier for the
6 expense of accounting and collecting the surcharge. On and
7 after July 1, 2022, the wireless carrier collecting a surcharge
8 under this Section may deduct and retain an amount not to
9 exceed ~~shall be entitled to deduct up to~~ 3% of the gross amount
10 of the surcharge collected to reimburse the wireless carrier
11 for the expense of accounting and collecting the surcharge.

12 (e) Surcharges imposed under this Section shall be
13 collected by the carriers and shall be remitted to the
14 Department, within 30 days of collection, remitted, either by
15 check or electronic funds transfer, by the end of the next
16 calendar month after the calendar month in which it was
17 collected ~~to the Department~~ for deposit into the Statewide
18 9-1-1 Fund. Carriers are not required to remit surcharge moneys
19 that are billed to subscribers but not yet collected.

20 The first remittance by wireless carriers shall include the
21 number of subscribers by zip code, and the 9-digit zip code if
22 currently being used or later implemented by the carrier, that
23 shall be the means by which the Department shall determine
24 distributions from the Statewide 9-1-1 Fund. This information
25 shall be updated at least once each year. Any carrier that
26 fails to provide the zip code information required under this

1 subsection (e) shall be subject to the penalty set forth in
2 subsection (g) of this Section.

3 (f) If, within 8 calendar ~~5 business~~ days after it is due
4 under subsection (e) of this Section, a carrier does not remit
5 the surcharge or any portion thereof required under this
6 Section, then the surcharge or portion thereof shall be deemed
7 delinquent until paid in full, and the Department may impose a
8 penalty against the carrier in an amount equal to the greater
9 of:

10 (1) \$25 for each month or portion of a month from the
11 time an amount becomes delinquent until the amount is paid
12 in full; or

13 (2) an amount equal to the product of 1% and the sum of
14 all delinquent amounts for each month or portion of a month
15 that the delinquent amounts remain unpaid.

16 A penalty imposed in accordance with this subsection (f)
17 for a portion of a month during which the carrier pays the
18 delinquent amount in full shall be prorated for each day of
19 that month that the delinquent amount was paid in full. Any
20 penalty imposed under this subsection (f) is in addition to the
21 amount of the delinquency and is in addition to any other
22 penalty imposed under this Section.

23 (g) If, within 8 calendar ~~5 business~~ days after it is due,
24 a wireless carrier does not provide the number of subscribers
25 by zip code as required under subsection (e) of this Section,
26 then the report is deemed delinquent and the Department may

1 impose a penalty against the carrier in an amount equal to the
2 greater of:

3 (1) \$25 for each month or portion of a month that the
4 report is delinquent; or

5 (2) an amount equal to the product of \$0.01 and the
6 number of subscribers served by the carrier for each month
7 or portion of a month that the delinquent report is not
8 provided.

9 A penalty imposed in accordance with this subsection (g)
10 for a portion of a month during which the carrier provides the
11 number of subscribers by zip code as required under subsection
12 (e) of this Section shall be prorated for each day of that
13 month during which the carrier had not provided the number of
14 subscribers by zip code as required under subsection (e) of
15 this Section. Any penalty imposed under this subsection (g) is
16 in addition to any other penalty imposed under this Section.

17 (h) A penalty imposed and collected in accordance with
18 subsection (f) or (g) of this Section shall be deposited into
19 the Statewide 9-1-1 Fund for distribution according to Section
20 30 of this Act.

21 (i) The Department may enforce the collection of any
22 delinquent amount and any penalty due and unpaid under this
23 Section by legal action or in any other manner by which the
24 collection of debts due the State of Illinois may be enforced
25 under the laws of this State. The Department may excuse the
26 payment of any penalty imposed under this Section if the

1 Administrator determines that the enforcement of this penalty
2 is unjust.

3 (j) Notwithstanding any provision of law to the contrary,
4 nothing shall impair the right of wireless carriers to recover
5 compliance costs for all emergency communications services
6 that are not reimbursed out of the Wireless Carrier
7 Reimbursement Fund directly from their wireless subscribers by
8 line-item charges on the wireless subscriber's bill. Those
9 compliance costs include all costs incurred by wireless
10 carriers in complying with local, State, and federal regulatory
11 or legislative mandates that require the transmission and
12 receipt of emergency communications to and from the general
13 public, including, but not limited to, E9-1-1.

14 (Source: P.A. 99-6, eff. 1-1-16.)

15 (50 ILCS 750/30)

16 (Section scheduled to be repealed on July 1, 2017)

17 Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

18 (a) A special fund in the State treasury known as the
19 Wireless Service Emergency Fund shall be renamed the Statewide
20 9-1-1 Fund. Any appropriations made from the Wireless Service
21 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
22 The Fund shall consist of the following:

23 (1) 9-1-1 wireless surcharges assessed under the
24 Wireless Emergency Telephone Safety Act.

25 (2) 9-1-1 surcharges assessed under Section 20 of this

1 Act.

2 (3) Prepaid wireless 9-1-1 surcharges assessed under
3 Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.

4 (4) Any appropriations, grants, or gifts made to the
5 Fund.

6 (5) Any income from interest, premiums, gains, or other
7 earnings on moneys in the Fund.

8 (6) Money from any other source that is deposited in or
9 transferred to the Fund.

10 (b) Subject to appropriation and availability of funds, the
11 Department shall distribute the 9-1-1 surcharges monthly as
12 follows:

13 (1) From each surcharge collected and remitted under
14 Section 20 of this Act:

15 (A) \$0.013 shall be distributed monthly in equal
16 amounts to each County Emergency Telephone System
17 Board or qualified governmental entity in counties
18 with a population under 100,000 according to the most
19 recent census data which is authorized to serve as a
20 primary wireless 9-1-1 public safety answering point
21 for the county and to provide wireless 9-1-1 service as
22 prescribed by subsection (b) of Section 15.6a of this
23 Act, and which does provide such service.

24 (B) \$0.033 shall be transferred by the Comptroller
25 at the direction of the Department to the Wireless
26 Carrier Reimbursement Fund until June 30, 2017; from

1 July 1, 2017 through June 30, 2018, \$0.026 shall be
2 transferred; from July 1, 2018 through June 30, 2019,
3 \$0.020 shall be transferred; from July 1, 2019, through
4 June 30, 2020, \$0.013 shall be transferred; from July
5 1, 2020 through June 30, 2021, \$0.007 will be
6 transferred; and after June 30, 2021, no transfer shall
7 be made to the Wireless Carrier Reimbursement Fund.

8 (C) Until December 31, 2017, \$0.007 and on and
9 after January 1, 2018, \$0.017 shall be used to cover
10 the Department's administrative costs.

11 (D) Beginning January 1, 2018, until June 30, 2020,
12 \$0.12, and on and after July 1, 2020, \$0.04 shall be
13 used to make monthly proportional grants to the
14 appropriate 9-1-1 Authority currently taking wireless
15 9-1-1 based upon the United States Postal Zip Code of
16 the billing addresses of subscribers wireless
17 carriers.

18 (E) Until June 30, 2020, \$0.05 shall be used by the
19 Department for grants for NG9-1-1 expenses, with
20 priority given to 9-1-1 Authorities that provide 9-1-1
21 service within the territory of a Large Electing
22 Provider as defined in Section 13-406.1 of the Public
23 Utilities Act.

24 (F) On and after July 1, 2020, \$0.13 shall be used
25 for the implementation of and continuing expenses for
26 the Statewide NG9-1-1 system.

1 (2) After disbursements under paragraph (1) of this
2 subsection (b), all remaining funds in the Statewide 9-1-1
3 Fund shall be disbursed in the following priority order:

4 (A) The Fund shall ~~will~~ pay monthly to:

5 (i) the 9-1-1 Authorities that imposed
6 surcharges under Section 15.3 of this Act and were
7 required to report to the Illinois Commerce
8 Commission under Section 27 of the Wireless
9 Emergency Telephone Safety Act on October 1, 2014,
10 except a 9-1-1 Authority in a municipality with a
11 population in excess of 500,000, an amount equal to
12 the average monthly wireline and VoIP surcharge
13 revenue attributable to the most recent 12-month
14 period reported to the Department under that
15 Section for the October 1, 2014 filing, subject to
16 the power of the Department to investigate the
17 amount reported and adjust the number by order
18 under Article X of the Public Utilities Act, so
19 that the monthly amount paid under this item
20 accurately reflects one-twelfth of the aggregate
21 wireline and VoIP surcharge revenue properly
22 attributable to the most recent 12-month period
23 reported to the Commission; or

24 (ii) county qualified governmental entities
25 that did not impose a surcharge under Section 15.3
26 as of December 31, 2015, and counties that did not

1 impose a surcharge as of June 30, 2015, an amount
2 equivalent to their population multiplied by .37
3 multiplied by the rate of \$0.69; counties that are
4 not county qualified governmental entities and
5 that did not impose a surcharge as of December 31,
6 2015, shall not begin to receive the payment
7 provided for in this subsection until E9-1-1 and
8 wireless E9-1-1 services are provided within their
9 counties; or

10 (iii) counties without 9-1-1 service that had
11 a surcharge in place by December 31, 2015, an
12 amount equivalent to their population multiplied
13 by .37 multiplied by their surcharge rate as
14 established by the referendum.

15 (B) All 9-1-1 network costs for systems outside of
16 municipalities with a population of at least 500,000
17 shall be paid by the Department directly to the
18 vendors.

19 (C) All expenses incurred by the Administrator and
20 the Statewide 9-1-1 Advisory Board and costs
21 associated with procurement under Section 15.6b
22 including requests for information and requests for
23 proposals.

24 (D) Funds may be held in reserve by the Statewide
25 9-1-1 Advisory Board and disbursed by the Department
26 for grants under Section 15.4b of this Act ~~Sections~~

1 ~~15.4a, 15.4b,~~ and for NG9-1-1 expenses up to \$12.5
2 million per year in State fiscal years 2016 and 2017;
3 up to \$20 ~~\$13.5~~ million in State fiscal year 2018; up
4 to \$20.9 ~~\$14.4~~ million in State fiscal year 2019; up to
5 \$15.3 million in State fiscal year 2020; up to \$16.2
6 million in State fiscal year 2021; up to \$23.1 million
7 in State fiscal year 2022; and up to \$17.0 million per
8 year for State fiscal year 2023 and each year
9 thereafter. The amount held in reserve in State fiscal
10 years 2018 and 2019 shall not be less than \$6.5
11 million. Disbursements under this subparagraph (D)
12 shall be prioritized as follows: (i) consolidation
13 grants prioritized under subsection (a) of Section
14 15.4b of this Act; (ii) NG9-1-1 expenses; and (iii)
15 consolidation grants under Section 15.4b of this Act
16 for consolidation expenses incurred between January 1,
17 2010, and January 1, 2016.

18 (E) All remaining funds per remit month shall be
19 used to make monthly proportional grants to the
20 appropriate 9-1-1 Authority currently taking wireless
21 9-1-1 based upon the United States Postal Zip Code of
22 the billing addresses of subscribers of wireless
23 carriers.

24 (c) The moneys deposited into the Statewide 9-1-1 Fund
25 under this Section shall not be subject to administrative
26 charges or chargebacks unless otherwise authorized by this Act.

1 (d) Whenever two or more 9-1-1 Authorities consolidate, the
2 resulting Joint Emergency Telephone System Board shall be
3 entitled to the monthly payments that had theretofore been made
4 to each consolidating 9-1-1 Authority. Any reserves held by any
5 consolidating 9-1-1 Authority shall be transferred to the
6 resulting Joint Emergency Telephone System Board. Whenever a
7 county that has no 9-1-1 service as of January 1, 2016 enters
8 into an agreement to consolidate to create or join a Joint
9 Emergency Telephone System Board, the Joint Emergency
10 Telephone System Board shall be entitled to the monthly
11 payments that would have otherwise been paid to the county if
12 it had provided 9-1-1 service.

13 (Source: P.A. 99-6, eff. 1-1-16.)

14 (50 ILCS 750/35)

15 (Section scheduled to be repealed on July 1, 2017)

16 Sec. 35. 9-1-1 surcharge; allowable expenditures. Except
17 as otherwise provided in this Act, expenditures from surcharge
18 revenues received under this Act may be made by municipalities,
19 counties, and 9-1-1 Authorities only to pay for the costs
20 associated with the following:

21 (1) The design of the Emergency Telephone System.

22 (2) The coding of an initial Master Street Address
23 Guide database, and update and maintenance thereof.

24 (3) The repayment of any moneys advanced for the
25 implementation of the system.

1 (4) The charges for Automatic Number Identification
2 and Automatic Location Identification equipment, a
3 computer aided dispatch system that records, maintains,
4 and integrates information, mobile data transmitters
5 equipped with automatic vehicle locators, and maintenance,
6 replacement, and update thereof to increase operational
7 efficiency and improve the provision of emergency
8 services.

9 (5) The non-recurring charges related to installation
10 of the Emergency Telephone System.

11 (6) The initial acquisition and installation, or the
12 reimbursement of costs therefor to other governmental
13 bodies that have incurred those costs, of road or street
14 signs that are essential to the implementation of the
15 Emergency Telephone System and that are not duplicative of
16 signs that are the responsibility of the jurisdiction
17 charged with maintaining road and street signs. Funds may
18 not be used for ongoing expenses associated with road or
19 street sign maintenance and replacement.

20 (7) Other products and services necessary for the
21 implementation, upgrade, and maintenance of the system and
22 any other purpose related to the operation of the system,
23 including costs attributable directly to the construction,
24 leasing, or maintenance of any buildings or facilities or
25 costs of personnel attributable directly to the operation
26 of the system. Costs attributable directly to the operation

1 of an emergency telephone system do not include the costs
2 of public safety agency personnel who are and equipment
3 that is dispatched in response to an emergency call.

4 (8) The defraying of expenses incurred to implement
5 Next Generation 9-1-1, subject to the conditions set forth
6 in this Act.

7 (9) The implementation of a computer aided dispatch
8 system or hosted supplemental 9-1-1 services.

9 (10) The design, implementation, operation,
10 maintenance, or upgrade of wireless 9-1-1, ~~or~~ E9-1-1, or
11 NG9-1-1 emergency services and public safety answering
12 points.

13 ~~Moneys in the Statewide 9-1-1 Fund may also be transferred~~
14 ~~to a participating fire protection district to reimburse~~
15 ~~volunteer firefighters who man remote telephone switching~~
16 ~~facilities when dedicated 9-1-1 lines are down.~~

17 In the case of a municipality with a population over
18 500,000, moneys may also be used for any anti-terrorism or
19 emergency preparedness measures, including, but not limited
20 to, preparedness planning, providing local matching funds for
21 federal or State grants, personnel training, and specialized
22 equipment, including surveillance cameras, as needed to deal
23 with natural and terrorist-inspired emergency situations or
24 events.

25 (Source: P.A. 99-6, eff. 1-1-16.)

1 (50 ILCS 750/40)

2 (Section scheduled to be repealed on July 1, 2017)

3 Sec. 40. Financial reports.

4 (a) The Department shall create uniform accounting
5 procedures, with such modification as may be required to give
6 effect to statutory provisions applicable only to
7 municipalities with a population in excess of 500,000, that any
8 emergency telephone system board, qualified governmental
9 entity, or unit of local government receiving surcharge money
10 pursuant to Section 15.3, 15.3a, or 30 of this Act must follow.

11 (b) By January 31, 2018, and every January 31 thereafter
12 ~~October 1, 2016, and every October 1 thereafter~~, each emergency
13 telephone system board, qualified governmental entity, or unit
14 of local government receiving surcharge money pursuant to
15 Section 15.3, 15.3a, or 30 shall report to the Department
16 audited financial statements showing total revenue and
17 expenditures for the period beginning with the end of the
18 period covered by the last submitted report through the end of
19 the previous calendar year ~~previous fiscal year~~ in a form and
20 manner as prescribed by the Department. Such financial
21 information shall include:

22 (1) a detailed summary of revenue from all sources
23 including, but not limited to, local, State, federal, and
24 private revenues, and any other funds received;

25 (2) all expenditures made during the reporting period
26 from distributions under this Act; ~~operating expenses,~~

1 ~~capital expenditures, and cash balances; and~~

2 (3) call data and statistics, when available, from the
3 reporting period, as specified by the Department and
4 collected in accordance with any reporting method
5 established or required ~~such other financial information~~
6 ~~that is relevant to the provision of 9-1-1 services as~~
7 ~~determined by the Department;~~

8 (4) all costs associated with dispatching appropriate
9 public safety agencies to respond to 9-1-1 calls received
10 by the PSAP; and

11 (5) all funding sources and amounts of funding used for
12 costs described in paragraph (4) of this subsection (b).

13 The emergency telephone system board, qualified
14 governmental entity, or unit of local government is responsible
15 for any costs associated with auditing such financial
16 statements. The Department shall post the audited financial
17 statements on the Department's website.

18 (c) Along with its audited financial statement, each
19 emergency telephone system board, qualified governmental
20 entity, or unit of local government receiving a grant under
21 Section 15.4b of this Act shall include a report of the amount
22 of grant moneys received and how the grant moneys were used. In
23 case of a conflict between this requirement and the Grant
24 Accountability and Transparency Act, or with the rules of the
25 Governor's Office of Management and Budget adopted thereunder,
26 that Act and those rules shall control.

1 (d) If an emergency telephone system board or qualified
2 governmental entity that receives funds from the Statewide
3 9-1-1 Fund fails to file the 9-1-1 system financial reports as
4 required under this Section, the Department shall suspend and
5 withhold monthly disbursements otherwise due to the emergency
6 telephone system board or qualified governmental entity under
7 Section 30 of this Act until the report is filed.

8 Any monthly disbursements that have been withheld for 12
9 months or more shall be forfeited by the emergency telephone
10 system board or qualified governmental entity and shall be
11 distributed proportionally by the Department to compliant
12 emergency telephone system boards and qualified governmental
13 entities that receive funds from the Statewide 9-1-1 Fund.

14 Any emergency telephone system board or qualified
15 governmental entity not in compliance with this Section shall
16 be ineligible to receive any consolidation grant or
17 infrastructure grant issued under this Act.

18 (e) The Department may adopt emergency rules necessary to
19 implement the provisions of this Section.

20 (f) Any findings or decisions of the Department under this
21 Section shall be deemed a final administrative decision and
22 shall be subject to judicial review under the Administrative
23 Review Law.

24 (g) Beginning October 1, 2017, the Department shall provide
25 a quarterly report to the Board of its expenditures from the
26 Statewide 9-1-1 Fund for the prior fiscal quarter.

1 (Source: P.A. 99-6, eff. 1-1-16.)

2 (50 ILCS 750/55)

3 (Section scheduled to be repealed on July 1, 2017)

4 Sec. 55. Public disclosure. Because of the highly
5 competitive nature of the ~~wireless~~ telephone industry, public
6 disclosure of information about surcharge moneys paid by
7 ~~wireless~~ carriers could have the effect of stifling competition
8 to the detriment of the public and the delivery of ~~wireless~~
9 9-1-1 services. Therefore, the Illinois Commerce Commission,
10 the Department of State Police, governmental agencies, and
11 individuals with access to that information shall take
12 appropriate steps to prevent public disclosure of this
13 information. Information and data supporting the amount and
14 distribution of surcharge moneys collected and remitted by an
15 individual ~~wireless~~ carrier shall be deemed exempt information
16 for purposes of the Freedom of Information Act and shall not be
17 publicly disclosed. The gross amount paid by all carriers shall
18 not be deemed exempt and may be publicly disclosed.

19 (Source: P.A. 99-6, eff. 1-1-16.)

20 (50 ILCS 750/99)

21 (Section scheduled to be repealed on July 1, 2017)

22 Sec. 99. Repealer. This Act is repealed on December 31,
23 2020 ~~July 1, 2017~~.

24 (Source: P.A. 99-6, eff. 6-29-15.)

1 Section 20. The Prepaid Wireless 9-1-1 Surcharge Act is
2 amended by changing Section 15 as follows:

3 (50 ILCS 753/15)

4 Sec. 15. Prepaid wireless 9-1-1 surcharge.

5 (a) Until September 30, 2015, there is hereby imposed on
6 consumers a prepaid wireless 9-1-1 surcharge of 1.5% per retail
7 transaction. Beginning October 1, 2015, the prepaid wireless
8 9-1-1 surcharge shall be 3% per retail transaction. The
9 surcharge authorized by this subsection (a) does not apply in a
10 home rule municipality having a population in excess of
11 500,000.

12 (a-5) On or after the effective date of this amendatory Act
13 of the 98th General Assembly and until December 31, 2020, ~~July~~
14 ~~1, 2017~~, a home rule municipality having a population in excess
15 of 500,000 on the effective date of this amendatory Act may
16 impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per
17 retail transaction sourced to that jurisdiction and collected
18 and remitted in accordance with the provisions of subsection
19 (b-5) of this Section. On or after January 1, 2021, ~~July 1,~~
20 ~~2017~~, a home rule municipality having a population in excess of
21 500,000 on the effective date of this Act may only impose a
22 prepaid wireless 9-1-1 surcharge not to exceed 7% per retail
23 transaction sourced to that jurisdiction and collected and
24 remitted in accordance with the provisions of subsection (b-5).

1 (b) The prepaid wireless 9-1-1 surcharge shall be collected
2 by the seller from the consumer with respect to each retail
3 transaction occurring in this State and shall be remitted to
4 the Department by the seller as provided in this Act. The
5 amount of the prepaid wireless 9-1-1 surcharge shall be
6 separately stated as a distinct item apart from the charge for
7 the prepaid wireless telecommunications service on an invoice,
8 receipt, or other similar document that is provided to the
9 consumer by the seller or shall be otherwise disclosed to the
10 consumer. If the seller does not separately state the surcharge
11 as a distinct item to the consumer as provided in this Section,
12 then the seller shall maintain books and records as required by
13 this Act which clearly identify the amount of the 9-1-1
14 surcharge for retail transactions.

15 For purposes of this subsection (b), a retail transaction
16 occurs in this State if (i) the retail transaction is made in
17 person by a consumer at the seller's business location and the
18 business is located within the State; (ii) the seller is a
19 provider and sells prepaid wireless telecommunications service
20 to a consumer located in Illinois; (iii) the retail transaction
21 is treated as occurring in this State for purposes of the
22 Retailers' Occupation Tax Act; or (iv) a seller that is
23 included within the definition of a "retailer maintaining a
24 place of business in this State" under Section 2 of the Use Tax
25 Act makes a sale of prepaid wireless telecommunications service
26 to a consumer located in Illinois. In the case of a retail

1 transaction which does not occur in person at a seller's
2 business location, if a consumer uses a credit card to purchase
3 prepaid wireless telecommunications service on-line or over
4 the telephone, and no product is shipped to the consumer, the
5 transaction occurs in this State if the billing address for the
6 consumer's credit card is in this State.

7 (b-5) The prepaid wireless 9-1-1 surcharge imposed under
8 subsection (a-5) of this Section shall be collected by the
9 seller from the consumer with respect to each retail
10 transaction occurring in the municipality imposing the
11 surcharge. The amount of the prepaid wireless 9-1-1 surcharge
12 shall be separately stated on an invoice, receipt, or other
13 similar document that is provided to the consumer by the seller
14 or shall be otherwise disclosed to the consumer. If the seller
15 does not separately state the surcharge as a distinct item to
16 the consumer as provided in this Section, then the seller shall
17 maintain books and records as required by this Act which
18 clearly identify the amount of the 9-1-1 surcharge for retail
19 transactions.

20 For purposes of this subsection (b-5), a retail transaction
21 occurs in the municipality if (i) the retail transaction is
22 made in person by a consumer at the seller's business location
23 and the business is located within the municipality; (ii) the
24 seller is a provider and sells prepaid wireless
25 telecommunications service to a consumer located in the
26 municipality; (iii) the retail transaction is treated as

1 occurring in the municipality for purposes of the Retailers'
2 Occupation Tax Act; or (iv) a seller that is included within
3 the definition of a "retailer maintaining a place of business
4 in this State" under Section 2 of the Use Tax Act makes a sale
5 of prepaid wireless telecommunications service to a consumer
6 located in the municipality. In the case of a retail
7 transaction which does not occur in person at a seller's
8 business location, if a consumer uses a credit card to purchase
9 prepaid wireless telecommunications service on-line or over
10 the telephone, and no product is shipped to the consumer, the
11 transaction occurs in the municipality if the billing address
12 for the consumer's credit card is in the municipality.

13 (c) The prepaid wireless 9-1-1 surcharge is imposed on the
14 consumer and not on any provider. The seller shall be liable to
15 remit all prepaid wireless 9-1-1 surcharges that the seller
16 collects from consumers as provided in Section 20, including
17 all such surcharges that the seller is deemed to collect where
18 the amount of the surcharge has not been separately stated on
19 an invoice, receipt, or other similar document provided to the
20 consumer by the seller. The surcharge collected or deemed
21 collected by a seller shall constitute a debt owed by the
22 seller to this State, and any such surcharge actually collected
23 shall be held in trust for the benefit of the Department.

24 For purposes of this subsection (c), the surcharge shall
25 not be imposed or collected from entities that have an active
26 tax exemption identification number issued by the Department

1 under Section 1g of the Retailers' Occupation Tax Act.

2 (d) The amount of the prepaid wireless 9-1-1 surcharge that
3 is collected by a seller from a consumer, if such amount is
4 separately stated on an invoice, receipt, or other similar
5 document provided to the consumer by the seller, shall not be
6 included in the base for measuring any tax, fee, surcharge, or
7 other charge that is imposed by this State, any political
8 subdivision of this State, or any intergovernmental agency.

9 (e) (Blank).

10 (e-5) Any changes in the rate of the surcharge imposed by a
11 municipality under the authority granted in subsection (a-5) of
12 this Section shall be effective on the first day of the first
13 calendar month to occur at least 60 days after the enactment of
14 the change. The Department shall provide not less than 30 days'
15 notice of the increase or reduction in the rate of such
16 surcharge on the Department's website.

17 (f) When prepaid wireless telecommunications service is
18 sold with one or more other products or services for a single,
19 non-itemized price, then the percentage specified in
20 subsection (a) or (a-5) of this Section 15 shall be applied to
21 the entire non-itemized price unless the seller elects to apply
22 the percentage to (i) the dollar amount of the prepaid wireless
23 telecommunications service if that dollar amount is disclosed
24 to the consumer or (ii) the portion of the price that is
25 attributable to the prepaid wireless telecommunications
26 service if the retailer can identify that portion by reasonable

1 and verifiable standards from its books and records that are
2 kept in the regular course of business for other purposes,
3 including, but not limited to, books and records that are kept
4 for non-tax purposes. However, if a minimal amount of prepaid
5 wireless telecommunications service is sold with a prepaid
6 wireless device for a single, non-itemized price, then the
7 seller may elect not to apply the percentage specified in
8 subsection (a) or (a-5) of this Section 15 to such transaction.
9 For purposes of this subsection, an amount of service
10 denominated as 10 minutes or less or \$5 or less is considered
11 minimal.

12 (g) The prepaid wireless 9-1-1 surcharge imposed under
13 subsections (a) and (a-5) of this Section is not imposed on the
14 provider or the consumer for wireless Lifeline service where
15 the consumer does not pay the provider for the service. Where
16 the consumer purchases from the provider optional minutes,
17 texts, or other services in addition to the federally funded
18 Lifeline benefit, a consumer must pay the prepaid wireless
19 9-1-1 surcharge, and it must be collected by the seller
20 according to subsection (b-5).

21 (Source: P.A. 98-634, eff. 6-6-14; 99-6, eff. 6-29-15.)

22 Section 25. The Public Utilities Act is amended by changing
23 Sections 13-102, 13-103, 13-230, 13-301.1, 13-406, 13-703,
24 13-1200, 21-401, and 21-1601 and by adding Section 13-406.1 as
25 follows:

1 (220 ILCS 5/13-102) (from Ch. 111 2/3, par. 13-102)

2 (Section scheduled to be repealed on July 1, 2017)

3 Sec. 13-102. Findings. With respect to telecommunications
4 services, as herein defined, the General Assembly finds that:

5 (a) universally available and widely affordable
6 telecommunications services are essential to the health,
7 welfare and prosperity of all Illinois citizens;

8 (b) federal regulatory and judicial rulings in the 1980s
9 caused a restructuring of the telecommunications industry and
10 opened some aspects of the industry to competitive entry,
11 thereby necessitating revision of State telecommunications
12 regulatory policies and practices;

13 (c) revisions in telecommunications regulatory policies
14 and practices in Illinois beginning in the mid-1980s brought
15 the benefits of competition to consumers in many
16 telecommunications markets, but not in local exchange
17 telecommunications service markets;

18 (d) the federal Telecommunications Act of 1996 established
19 the goal of opening all telecommunications service markets to
20 competition and accords to the states the responsibility to
21 establish and enforce policies necessary to attain that goal;

22 (e) it is in the immediate interest of the People of the
23 State of Illinois for the State to exercise its rights within
24 the new framework of federal telecommunications policy to
25 ensure that the economic benefits of competition in all

1 telecommunications service markets are realized as effectively
2 as possible;

3 (f) the competitive offering of all telecommunications
4 services will increase innovation and efficiency in the
5 provision of telecommunications services and may lead to
6 reduced prices for consumers, increased investment in
7 communications infrastructure, the creation of new jobs, and
8 the attraction of new businesses to Illinois; ~~and~~

9 (g) protection of the public interest requires changes in
10 the regulation of telecommunications carriers and services to
11 ensure, to the maximum feasible extent, the reasonable and
12 timely development of effective competition in all
13 telecommunications service markets; ~~and~~

14 (h) Illinois residents rely on today's modern wired and
15 wireless Internet Protocol (IP) networks and services to
16 improve their lives by connecting them to school and college
17 degrees, work and job opportunities, family and friends,
18 information, and entertainment, as well as emergency
19 responders and public safety officials; Illinois businesses
20 rely on these modern IP networks and services to compete in a
21 global marketplace by expanding their customer base, managing
22 inventory and operations more efficiently, and offering
23 customers specialized and personalized products and services;
24 without question, Illinois residents and our State's economy
25 rely profoundly on the modern wired and wireless IP networks
26 and services in our State;

1 (i) the transition from 20th century traditional circuit
2 switched and other legacy telephone services to modern 21st
3 century next generation Internet Protocol (IP) services is
4 taking place at an extraordinary pace as Illinois consumers are
5 upgrading to home communications service using IP technology,
6 including high speed Internet, Voice over Internet Protocol,
7 and wireless service;

8 (j) this rapid transition to IP-based communications has
9 dramatically transformed the way people communicate and has
10 provided significant benefits to consumers in the form of
11 innovative functionalities resulting from the seamless
12 convergence of voice, video, and text, benefits realized by the
13 General Assembly when it chose to transition its own
14 telecommunications system to an all IP communications network
15 in 2016;

16 (k) the benefits of the transition to IP-based networks and
17 services were also recognized by the General Assembly in 2015
18 through the enactment of legislation requiring that every 9-1-1
19 emergency system in Illinois provide Next Generation 9-1-1
20 service by July 1, 2020, and requiring that the Next Generation
21 9-1-1 network must be an IP-based platform; and

22 (l) completing the transition to all IP-based networks and
23 technologies is in the public interest because it will promote
24 continued innovation, consumer benefits, increased
25 efficiencies, and increased investment in IP-based networks
26 and services.

1 (Source: P.A. 90-185, eff. 7-23-97.)

2 (220 ILCS 5/13-103) (from Ch. 111 2/3, par. 13-103)

3 (Section scheduled to be repealed on July 1, 2017)

4 Sec. 13-103. Policy. Consistent with its findings, the
5 General Assembly declares that it is the policy of the State of
6 Illinois that:

7 (a) telecommunications services should be available to all
8 Illinois citizens at just, reasonable, and affordable rates and
9 that such services should be provided as widely and
10 economically as possible in sufficient variety, quality,
11 quantity and reliability to satisfy the public interest;

12 (b) consistent with the protection of consumers of
13 telecommunications services and the furtherance of other
14 public interest goals, competition in all telecommunications
15 service markets should be pursued as a substitute for
16 regulation in determining the variety, quality and price of
17 telecommunications services and that the economic burdens of
18 regulation should be reduced to the extent possible consistent
19 with the furtherance of market competition and protection of
20 the public interest;

21 (c) all necessary and appropriate modifications to State
22 regulation of telecommunications carriers and services should
23 be implemented without unnecessary disruption to the
24 telecommunications infrastructure system or to consumers of
25 telecommunications services and that it is necessary and

1 appropriate to establish rules to encourage and ensure orderly
2 transitions in the development of markets for all
3 telecommunications services;

4 (d) the consumers of telecommunications services and
5 facilities provided by persons or companies subject to
6 regulation pursuant to this Act and Article should be required
7 to pay only reasonable and non-discriminatory rates or charges
8 and that in no case should rates or charges for non-competitive
9 telecommunications services include any portion of the cost of
10 providing competitive telecommunications services, as defined
11 in Section 13-209, or the cost of any nonregulated activities;

12 (e) the regulatory policies and procedures provided in this
13 Article are established in recognition of the changing nature
14 of the telecommunications industry and therefore should be
15 subject to systematic legislative review to ensure that the
16 public benefits intended to result from such policies and
17 procedures are fully realized; ~~and~~

18 (f) development of and prudent investment in advanced
19 telecommunications services and networks that foster economic
20 development of the State should be encouraged through the
21 implementation and enforcement of policies that promote
22 effective and sustained competition in all telecommunications
23 service markets; and

24 (g) completion of the transition to modern IP-based
25 networks should be encouraged through relief from the outdated
26 regulations that require continued investment in legacy

1 circuit switched networks from which Illinois consumers have
2 largely transitioned, while at the same time ensuring that
3 consumers have access to available alternative services that
4 provide quality voice service and access to emergency
5 communications.

6 (Source: P.A. 90-185, eff. 7-23-97.)

7 (220 ILCS 5/13-230)

8 (Section scheduled to be repealed on July 1, 2017)

9 Sec. 13-230. Prepaid calling service. "Prepaid calling
10 service" means telecommunications service that must be paid for
11 in advance by an end user, enables the end user to originate
12 calls using an access number or authorization code, whether
13 manually or electronically dialed, and is sold in predetermined
14 units or dollars of which the number declines with use in a
15 known amount. A prepaid calling service call is a call made by
16 an end user using prepaid calling service. "Prepaid calling
17 service" does not include a wireless telecommunications
18 service that allows a caller to dial 9-1-1 to access the 9-1-1
19 system, which service must be paid for in advance, and is sold
20 in predetermined units or dollars and the amount declines with
21 use in a known amount ~~prepaid wireless telecommunications~~
22 ~~service as defined in Section 10 of the Wireless Emergency~~
23 ~~Telephone Safety Act.~~

24 (Source: P.A. 97-463, eff. 1-1-12.)

1 (220 ILCS 5/13-301.1) (from Ch. 111 2/3, par. 13-301.1)

2 (Section scheduled to be repealed on July 1, 2017)

3 Sec. 13-301.1. Universal Telephone Service Assistance
4 Program.

5 (a) The Commission shall by rule or regulation establish a
6 Universal Telephone Service Assistance Program for low income
7 residential customers. The program shall provide for a
8 reduction of access line charges, a reduction of connection
9 charges, or any other alternative assistance or program to
10 increase accessibility to telephone service and broadband
11 Internet access service that the Commission deems advisable
12 subject to the availability of funds for the program as
13 provided in subsections ~~subsection~~ (d) and (e). The Commission
14 shall establish eligibility requirements for benefits under
15 the program.

16 (b) The Commission shall adopt rules providing for enhanced
17 enrollment for eligible consumers to receive lifeline service.
18 Enhanced enrollment may include, but is not limited to, joint
19 marketing, joint application, or joint processing with the
20 Low-Income Home Energy Assistance Program, the Medicaid
21 Program, and the Food Stamp Program. The Department of Human
22 Services, the Department of Healthcare and Family Services, and
23 the Department of Commerce and Economic Opportunity, upon
24 request of the Commission, shall assist in the adoption and
25 implementation of those rules. The Commission and the
26 Department of Human Services, the Department of Healthcare and

1 Family Services, and the Department of Commerce and Economic
2 Opportunity may enter into memoranda of understanding
3 establishing the respective duties of the Commission and the
4 Departments in relation to enhanced enrollment.

5 (c) In this Section:⁷

6 "Lifeline ~~"lifeline~~ service" means a retail local
7 service offering described by 47 CFR ~~C.F.R.~~ Section
8 54.401(a), as amended.

9 (d) The Commission shall require by rule or regulation that
10 each telecommunications carrier providing local exchange
11 telecommunications services notify its customers that if the
12 customer wishes to participate in the funding of the Universal
13 Telephone Service Assistance Program he may do so by electing
14 to contribute, on a monthly basis, a fixed amount that will be
15 included in the customer's monthly bill. The customer may cease
16 contributing at any time upon providing notice to the
17 telecommunications carrier providing local exchange
18 telecommunications services. The notice shall state that any
19 contribution made will not reduce the customer's bill for
20 telecommunications services. Failure to remit the amount of
21 increased payment will reduce the contribution accordingly.
22 The Commission shall specify the monthly fixed amount or
23 amounts that customers wishing to contribute to the funding of
24 the Universal Telephone Service Assistance Program may choose
25 from in making their contributions. Every telecommunications
26 carrier providing local exchange telecommunications services

1 shall remit the amounts contributed in accordance with the
2 terms of the Universal Telephone Service Assistance Program.

3 (e) Amounts collected and remitted under subsection (d)
4 may, to the extent the Commission deems advisable, be used for
5 funding a program to be administered by the entity designated
6 by the Commission as administrator of the Universal Telephone
7 Service Assistance Program for educating and assisting
8 low-income residential customers with a transition to Internet
9 protocol-based networks and services. This program may
10 include, but need not be limited to, measures designed to
11 notify and educate residential customers regarding the
12 availability of alternative voice services with access to
13 9-1-1, access to and use of broadband Internet access service,
14 and pricing options.

15 (Source: P.A. 94-793, eff. 5-19-06; 95-331, eff. 8-21-07.);

16 and

17 (220 ILCS 5/13-406) (from Ch. 111 2/3, par. 13-406)

18 (Section scheduled to be repealed on July 1, 2017)

19 Sec. 13-406. Abandonment of service. No telecommunications
20 carrier offering or providing noncompetitive
21 telecommunications service pursuant to a valid Certificate of
22 Service Authority or certificate of public convenience and
23 necessity shall discontinue or abandon such service once
24 initiated until and unless it shall demonstrate, and the
25 Commission finds, after notice and hearing, that such

1 discontinuance or abandonment will not deprive customers of any
2 necessary or essential telecommunications service or access
3 thereto and is not otherwise contrary to the public interest.
4 No telecommunications carrier offering or providing
5 competitive telecommunications service shall completely
6 discontinue or abandon such service to an identifiable class or
7 group of customers once initiated except upon 60 days notice to
8 the Commission and affected customers. The Commission may, upon
9 its own motion or upon complaint, investigate the proposed
10 discontinuance or abandonment of a competitive
11 telecommunications service and may, after notice and hearing,
12 prohibit such proposed discontinuance or abandonment if the
13 Commission finds that it would be contrary to the public
14 interest. If the Commission does not provide notice of a
15 hearing within 60 calendar days after the notification or holds
16 a hearing and fails to find that the proposed discontinuation
17 or abandonment would be contrary to the public interest, the
18 provider may discontinue or abandon such service after
19 providing at least 30 days notice to affected customers. This
20 Section does not apply to a Large Electing Provider proceeding
21 under Section 13-406.1.

22 (Source: P.A. 96-927, eff. 6-15-10.)

23 (220 ILCS 5/13-406.1 new)

24 Sec. 13-406.1. Large Electing Provider transition to
25 IP-based networks and service.

1 (a) As used in this Section:

2 "Alternative voice service" means service that includes
3 all of the applicable functionalities for voice telephony
4 services described in 47 CFR 54.101(a).

5 "Existing customer" means a residential customer of the
6 Large Electing Provider who is subscribing to a
7 telecommunications service on the date the Large Electing
8 Provider sends its notice under paragraph (1) of subsection (c)
9 of this Section of its intent to cease offering and providing
10 service. For purposes of this Section, a residential customer
11 of the Large Electing Provider whose service has been
12 temporarily suspended, but not finally terminated as of the
13 date that the Large Electing Provider sends that notice, shall
14 be deemed to be an "existing customer".

15 "Large Electing Provider" means an Electing Provider, as
16 defined in Section 13-506.2 of this Act, that (i) reported in
17 its annual competition report for the year 2016 filed with the
18 Commission under Section 13-407 of this Act and 83 Ill. Adm.
19 Code 793 that it provided at least 700,000 access lines to end
20 users; and (ii) is affiliated with a provider of commercial
21 mobile radio service, as defined in 47 CFR 20.3, as of January
22 1, 2017.

23 "New customer" means a residential customer who is not
24 subscribing to a telecommunications service provided by the
25 Large Electing Provider on the date the Large Electing Provider
26 sends its notice under paragraph (1) of subsection (c) of this

1 Section of its intent to cease offering and providing that
2 service.

3 "Provider" includes every corporation, company,
4 association, firm, partnership, and individual and their
5 lessees, trustees, or receivers appointed by a court that sell
6 or offer to sell an alternative voice service.

7 "Reliable access to 9-1-1" means access to 9-1-1 that
8 complies with the applicable rules, regulations, and
9 guidelines established by the Federal Communications
10 Commission and the applicable provisions of the Emergency
11 Telephone System Act and implementing rules.

12 "Willing provider" means a provider that voluntarily
13 participates in the request for service process.

14 (b) Beginning June 30, 2017, a Large Electing Provider may,
15 to the extent permitted by and consistent with federal law,
16 including, as applicable, approval by the Federal
17 Communications Commission of the discontinuance of the
18 interstate-access component of a telecommunications service,
19 cease to offer and provide a telecommunications service to an
20 identifiable class or group of customers, other than voice
21 telecommunications service to residential customers or a
22 telecommunications service to a class of customers under
23 subsection (b-5) of this Section, upon 60 days' notice to the
24 Commission and affected customers.

25 (b-5) Notwithstanding any provision to the contrary in this
26 Section 13-406.1, beginning December 31, 2021, a Large Electing

1 Provider may, to the extent permitted by and consistent with
2 federal law, including, if applicable, approval by the Federal
3 Communications Commission of the discontinuance of the
4 interstate-access component of a telecommunication service,
5 cease to offer and provide a telecommunications service to one
6 or more of the following classes or groups of customers upon 60
7 days' notice to the Commission and affected customers: (1)
8 electric utilities, as defined in Section 16-102 of this Act;
9 (2) public utilities, as defined in Section 3-105 of this Act,
10 that offers natural gas or water services; (3) electric, gas,
11 and water utilities that are excluded from the definition of
12 public utility under paragraph (1) of subsection (b) of Section
13 3-105 of this Act; (4) water companies as described in
14 paragraph (2) of subsection (b) of Section 3-105 of this Act;
15 (5) natural gas cooperatives as described in paragraph (4) of
16 subsection (b) of Section 3-105 of this Act; (6) electric
17 cooperatives as defined in Section 3-119 of this Act; (7)
18 entities engaged in the commercial generation of electric power
19 and energy; (8) the functional divisions of public agencies, as
20 defined in Section 2 of the Emergency Telephone System Act,
21 that provide police or firefighting services; and (9) 9-1-1
22 Authorities, as defined in Section 2 of the Emergency Telephone
23 System Act; provided that the date shall be extended to
24 December 21, 2022, for (i) an electric utility, as defined in
25 Section 16-102 of this Act, that serves more than 3 million
26 customers in the State; and (ii) an entity engaged in the

1 commercial generation of electric power and energy that
2 operates one or more nuclear power plants in the State.

3 (c) Beginning June 30, 2017, a Large Electing Provider may,
4 to the extent permitted by and consistent with federal law,
5 cease to offer and provide voice telecommunications service to
6 an identifiable class or group of residential customers, which,
7 for the purposes of this subsection (c), shall be referred to
8 as "requested service", subject to compliance with the
9 following requirements:

10 (1) No less than 255 days prior to providing notice to
11 the Federal Communications Commission of its intent to
12 discontinue the interstate-access component of the
13 requested service, the Large Electing Provider shall:

14 (A) file a notice of the proposed cessation of the
15 requested service with the Commission, which shall
16 include a statement that the Large Electing Provider
17 will comply with any service discontinuance rules and
18 regulations of the Federal Communications Commission
19 pertaining to compatibility of alternative voice
20 services with medical monitoring devices; and

21 (B) provide notice of the proposed cessation of the
22 requested service to each of the Large Electing
23 Provider's existing customers within the affected
24 geographic area by first-class mail separate from
25 customer bills. If the customer has elected to receive
26 electronic billing, the notice shall be sent

1 electronically and by first-class mail separate from
2 customer bills. The notice provided under this
3 subparagraph (B) shall describe the requested service,
4 identify the earliest date on which the Large Electing
5 Provider intends to cease offering or providing the
6 telecommunications service, provide a telephone number
7 by which the existing customer may contact a service
8 representative of the Large Electing Provider, and
9 provide a telephone number by which the existing
10 customer may contact the Commission's Consumer
11 Services Division. The notice shall also include the
12 following statement:

13 "If you do not believe that an alternative
14 voice service including reliable access to 9-1-1
15 is available to you, from either [name of Large
16 Electing Provider] or another provider of wired or
17 wireless voice service where you live, you have the
18 right to request the Illinois Commerce Commission
19 to investigate the availability of alternative
20 voice service including reliable access to 9-1-1.
21 To do so, you must submit such a request either in
22 writing or by signing and returning a copy of this
23 notice, no later than (insert date), 60 days after
24 the date of the notice to the following address:
25 Chief Clerk of the Illinois Commerce Commission
26 527 East Capitol Avenue

1 Springfield, Illinois 62706

2 You must include in your request a reference to
3 the notice you received from [Large Electing
4 Provider's name] and the date of notice.".

5 Thirty days following the date of notice, the Large
6 Electing Provider shall provide each customer to which
7 the notice was sent a follow-up notice containing the
8 same information and reminding customers of the
9 deadline for requesting the Commission to investigate
10 alternative voice service with access to 9-1-1.

11 (2) After June 30, 2017, and only in a geographic area
12 for which a Large Electing Provider has provided notice of
13 proposed cessation of the requested service to existing
14 customers under paragraph (1) of this subsection (c), an
15 existing customer of that provider may, within 60 days
16 after issuance of such notice, request the Commission to
17 investigate the availability of alternative voice service
18 including reliable access to 9-1-1 to that customer. For
19 the purposes of this paragraph (2), existing customers who
20 make such a request are referred to as "requesting existing
21 customers". The Large Electing Provider may cease to offer
22 or provide the requested service to existing customers who
23 do not make a request for investigation beginning 30 days
24 after issuance of the notice required by paragraph (5) of
25 this subsection (c).

26 (A) In response to all requests and investigations

1 under this paragraph (2), the Commission shall conduct
2 a single investigation to be commenced 75 days after
3 the receipt of notice under paragraph (1) of this
4 subsection (c), and completed within 135 days after
5 commencement. The Commission shall, within 135 days
6 after commencement of the investigation, make one of
7 the findings described in subdivisions (i) and (ii) of
8 this subparagraph (A) for each requesting existing
9 customer.

10 (i) If, as a result of the investigation, the
11 Commission finds that service from at least one
12 provider offering alternative voice service
13 including reliable access to 9-1-1 through any
14 technology or medium is available to one or more
15 requesting existing customers, the Commission
16 shall declare by order that, with respect to each
17 requesting existing customer for which such a
18 finding is made, the Large Electing Provider may
19 cease to offer or provide the requested service
20 beginning 30 days after the issuance of the notice
21 required by paragraph (5) of this subsection (c).

22 (ii) If, as a result of the investigation, the
23 Commission finds that service from at least one
24 provider offering alternative voice service,
25 including reliable access to 9-1-1, through any
26 technology or medium is not available to one or

1 more requesting existing customers, the Commission
2 shall declare by order that an emergency exists
3 with respect to each requesting existing customer
4 for which such a finding is made.

5 (B) If the Commission declares an emergency under
6 subdivision (ii) of subparagraph (A) of this paragraph
7 (2) with respect to one or more requesting existing
8 customers, the Commission shall conduct a request for
9 service process to identify a willing provider of
10 alternative voice service including reliable access to
11 9-1-1. A provider shall not be required to participate
12 in the request for service process. The willing
13 provider may utilize any form of technology that is
14 capable of providing alternative voice service
15 including reliable access to 9-1-1, including, without
16 limitation, Voice over Internet Protocol services and
17 wireless services. The Commission shall, within 45
18 days after the issuance of an order finding that an
19 emergency exists, make one of the determinations
20 described in subdivisions (i) and (ii) of this
21 subparagraph (B) for each requesting existing customer
22 for which an emergency has been declared.

23 (i) If the Commission determines that another
24 provider is willing and capable of providing
25 alternative voice service including reliable
26 access to 9-1-1 to one or more requesting existing

1 customers for which an emergency has been
2 declared, the Commission shall declare by order
3 that, with respect to each requesting existing
4 customer for which such a determination is made,
5 the Large Electing Provider may cease to offer or
6 provide the requested service beginning 30 days
7 after the issuance of the notice required by
8 paragraph (5) of this Section.

9 (ii) If the Commission determines that for one
10 or more of the requesting existing customers for
11 which an emergency has been declared there is no
12 other provider willing and capable of providing
13 alternative voice service including reliable
14 access to 9-1-1, the Commission shall issue an
15 order requiring the Large Electing Provider to
16 provide alternative voice service including
17 reliable access to 9-1-1 to each requesting
18 existing customer utilizing any form of technology
19 capable of providing alternative voice service
20 including reliable access to 9-1-1, including,
21 without limitation, continuation of the requested
22 service, Voice over Internet Protocol services,
23 and wireless services, until another willing
24 provider is available. A Large Electing Provider
25 may fulfill the requirement through an affiliate
26 or another provider. The Large Electing Provider

1 may request that such an order be rescinded upon a
2 showing that an alternative voice service
3 including reliable access to 9-1-1 has become
4 available to the requesting existing customer from
5 another provider.

6 (3) If the Commission receives no requests for
7 investigation from any existing customer under paragraph
8 (2) of this subsection (c) within 60 days after issuance of
9 the notice under paragraph (1) of this subsection (c), the
10 Commission shall provide written notice to the Large
11 Electing Provider of that fact no later than 75 days after
12 receipt of notice under paragraph (1) of this subsection
13 (c). Notwithstanding any provision of this subsection (c)
14 to the contrary, if no existing customer requests an
15 investigation under paragraph (2) of this subsection (c),
16 the Large Electing Provider may immediately provide the
17 notice to the Federal Communications Commission as
18 described in paragraph (4) of this subsection (c).

19 (4) At the same time that it provides notice to the
20 Federal Communications Commission of its intent to
21 discontinue the interstate-access component of the
22 requested service, the Large Electing Provider shall:

23 (A) file a notice of proposal to cease to offer and
24 provide the requested service with the Commission; and

25 (B) provide a notice of proposal to cease to offer
26 and provide the requested service to existing

1 customers and new customers receiving the service at
2 the time of the notice within each affected geographic
3 area, with the notice made by first-class mail or
4 within customer bills delivered by mail or equivalent
5 means of notice, including electronic means if the
6 customer has elected to receive electronic billing.
7 The notice provided under this subparagraph (B) shall
8 include a brief description of the requested service,
9 the date on which the Large Electing Provider intends
10 to cease offering or providing the telecommunications
11 service, and a statement as required by 47 CFR 63.71
12 that describes the process by which the customer may
13 submit comments to the Federal Communications
14 Commission.

15 (5) Upon approval by the Federal Communications
16 Commission of its request to discontinue the
17 interstate-access component of the requested service and
18 subject to the requirements of any order issued by the
19 Commission under subdivision (ii) of subparagraph (B) of
20 paragraph (2) of this subsection (c), the Large Electing
21 Provider may immediately cease to offer the requested
22 service to all customers not receiving the service on the
23 date of the Federal Communications Commission's approval
24 and may cease to offer and provide the requested service to
25 all customers receiving the service at the time of the
26 Federal Communications Commission's approval upon 30 days'

1 notice to the Commission and affected customers. Notice to
2 affected customers under this paragraph (5) shall be
3 provided by first-class mail separate from customer bills.
4 The notice provided under this paragraph (5) shall describe
5 the requested service, identify the date on which the Large
6 Electing Provider intends to cease offering or providing
7 the telecommunications service, and provide a telephone
8 number by which the existing customer may contact a service
9 representative of the Large Electing Provider.

10 (6) The notices provided for in paragraph (1) of this
11 subsection (c) are not required as a prerequisite for the
12 Large Electing Provider to cease to offer or provide a
13 telecommunications service in a geographic area where
14 there are no residential customers taking service from the
15 Large Electing Provider on the date that the Large Electing
16 Provider files notice to the Federal Communications
17 Commission of its intent to discontinue the
18 interstate-access component of the requested service in
19 that geographic area.

20 (7) For a period of 45 days following the date of a
21 notice issued under paragraph (5) of this Section, an
22 existing customer (i) who is located in the affected
23 geographic area subject to that notice; (ii) who was
24 receiving the requested service as of the date of the
25 Federal Communications Commission's approval of the Large
26 Electing Provider's request to discontinue the

1 interstate-access component of the requested service;
2 (iii) who did not make a timely request for investigation
3 under paragraph (2) of this subsection (c); and (iv) whose
4 service will be or has been discontinued under paragraph
5 (5), may request assistance from the Large Electing
6 Provider in identifying providers of alternative voice
7 service including reliable access to 9-1-1. Within 15 days
8 of the request, the Large Electing Provider shall provide
9 the customer with a list of alternative voice service
10 providers.

11 (8) Notwithstanding any other provision of this Act,
12 except as expressly authorized by this subsection (c), the
13 Commission may not, upon its own motion or upon complaint,
14 investigate, suspend, disapprove, condition, or otherwise
15 regulate the cessation of a telecommunications service to
16 an identifiable class or group of customers once initiated
17 by a Large Electing Provider under subsection (b) or (b-5)
18 of this Section or this subsection (c).

19 (220 ILCS 5/13-703) (from Ch. 111 2/3, par. 13-703)

20 (Section scheduled to be repealed on July 1, 2017)

21 Sec. 13-703. (a) The Commission shall design and implement
22 a program whereby each telecommunications carrier providing
23 local exchange service shall provide a telecommunications
24 device capable of servicing the needs of those persons with a
25 hearing or speech disability together with a single party line,

1 at no charge additional to the basic exchange rate, to any
2 subscriber who is certified as having a hearing or speech
3 disability by a hearing care professional, as defined in the
4 Hearing Instrument Consumer Protection Act, a speech-language
5 pathologist, or a qualified State agency and to any subscriber
6 which is an organization serving the needs of those persons
7 with a hearing or speech disability as determined and specified
8 by the Commission pursuant to subsection (d).

9 (b) The Commission shall design and implement a program,
10 whereby each telecommunications carrier providing local
11 exchange service shall provide a telecommunications relay
12 system, using third party intervention to connect those persons
13 having a hearing or speech disability with persons of normal
14 hearing by way of intercommunications devices and the telephone
15 system, making available reasonable access to all phases of
16 public telephone service to persons who have a hearing or
17 speech disability. In order to design a telecommunications
18 relay system which will meet the requirements of those persons
19 with a hearing or speech disability available at a reasonable
20 cost, the Commission shall initiate an investigation and
21 conduct public hearings to determine the most cost-effective
22 method of providing telecommunications relay service to those
23 persons who have a hearing or speech disability when using
24 telecommunications devices and therein solicit the advice,
25 counsel, and physical assistance of Statewide nonprofit
26 consumer organizations that serve persons with hearing or

1 speech disabilities in such hearings and during the development
2 and implementation of the system. The Commission shall phase in
3 this program, on a geographical basis, as soon as is
4 practicable, but no later than June 30, 1990.

5 (c) The Commission shall establish a competitively neutral
6 rate recovery mechanism that establishes charges in an amount
7 to be determined by the Commission for each line of a
8 subscriber to allow telecommunications carriers providing
9 local exchange service to recover costs as they are incurred
10 under this Section. Beginning no later than April 1, 2016, and
11 on a yearly basis thereafter, the Commission shall initiate a
12 proceeding to establish the competitively neutral amount to be
13 charged or assessed to subscribers of telecommunications
14 carriers and wireless carriers, Interconnected VoIP service
15 providers, and consumers of prepaid wireless
16 telecommunications service in a manner consistent with this
17 subsection (c) and subsection (f) of this Section. The
18 Commission shall issue its order establishing the
19 competitively neutral amount to be charged or assessed to
20 subscribers of telecommunications carriers and wireless
21 carriers, Interconnected VoIP service providers, and
22 purchasers of prepaid wireless telecommunications service on
23 or prior to June 1 of each year, and such amount shall take
24 effect June 1 of each year.

25 Telecommunications carriers, wireless carriers,
26 Interconnected VoIP service providers, and sellers of prepaid

1 wireless telecommunications service shall have 60 days from the
2 date the Commission files its order to implement the new rate
3 established by the order.

4 (d) The Commission shall determine and specify those
5 organizations serving the needs of those persons having a
6 hearing or speech disability that shall receive a
7 telecommunications device and in which offices the equipment
8 shall be installed in the case of an organization having more
9 than one office. For the purposes of this Section,
10 "organizations serving the needs of those persons with hearing
11 or speech disabilities" means centers for independent living as
12 described in Section 12a of the Rehabilitation of Persons with
13 Disabilities Act and not-for-profit organizations whose
14 primary purpose is serving the needs of those persons with
15 hearing or speech disabilities. The Commission shall direct the
16 telecommunications carriers subject to its jurisdiction and
17 this Section to comply with its determinations and
18 specifications in this regard.

19 (e) As used in this Section:

20 "Prepaid wireless telecommunications service" has the
21 meaning given to that term under Section 10 of the Prepaid
22 Wireless 9-1-1 Surcharge Act.

23 "Retail transaction" has the meaning given to that term
24 under Section 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

25 "Seller" has the meaning given to that term under Section
26 10 of the Prepaid Wireless 9-1-1 Surcharge Act.

1 "Telecommunications carrier providing local exchange
2 service" includes, without otherwise limiting the meaning of
3 the term, telecommunications carriers which are purely mutual
4 concerns, having no rates or charges for services, but paying
5 the operating expenses by assessment upon the members of such a
6 company and no other person.

7 "Wireless carrier" has the meaning given to that term under
8 Section 2 10 of the ~~Wireless~~ Emergency Telephone System Safety
9 Act.

10 (f) Interconnected VoIP service providers, sellers of
11 prepaid wireless telecommunications service, and wireless
12 carriers in Illinois shall collect and remit assessments
13 determined in accordance with this Section in a competitively
14 neutral manner in the same manner as a telecommunications
15 carrier providing local exchange service. However, the
16 assessment imposed on consumers of prepaid wireless
17 telecommunications service shall be collected by the seller
18 from the consumer and imposed per retail transaction as a
19 percentage of that retail transaction on all retail
20 transactions occurring in this State. The assessment on
21 subscribers of wireless carriers and consumers of prepaid
22 wireless telecommunications service shall not be imposed or
23 collected prior to June 1, 2016.

24 Sellers of prepaid wireless telecommunications service
25 shall remit the assessments to the Department of Revenue on the
26 same form and in the same manner which they remit the fee

1 collected under the Prepaid Wireless 9-1-1 Surcharge Act. For
2 the purposes of display on the consumers' receipts, the rates
3 of the fee collected under the Prepaid Wireless 9-1-1 Surcharge
4 Act and the assessment under this Section may be combined. In
5 administration and enforcement of this Section, the provisions
6 of Sections 15 and 20 of the Prepaid Wireless 9-1-1 Surcharge
7 Act (except subsections (a), (a-5), (b-5), (e), and (e-5) of
8 Section 15 and subsections (c) and (e) of Section 20 of the
9 Prepaid Wireless 9-1-1 Surcharge Act and, from June 29, 2015
10 (the effective date of Public Act 99-6), the seller shall be
11 permitted to deduct and retain 3% of the assessments that are
12 collected by the seller from consumers and that are remitted
13 and timely filed with the Department) that are not inconsistent
14 with this Section, shall apply, as far as practicable, to the
15 subject matter of this Section to the same extent as if those
16 provisions were included in this Section. The Department shall
17 deposit all assessments and penalties collected under this
18 Section into the Illinois Telecommunications Access
19 Corporation Fund, a special fund created in the State treasury.
20 On or before the 25th day of each calendar month, the
21 Department shall prepare and certify to the Comptroller the
22 amount available to the Commission for distribution out of the
23 Illinois Telecommunications Access Corporation Fund. The
24 amount certified shall be the amount (not including credit
25 memoranda) collected during the second preceding calendar
26 month by the Department, plus an amount the Department

1 determines is necessary to offset any amounts which were
2 erroneously paid to a different taxing body or fund. The amount
3 paid to the Illinois Telecommunications Access Corporation
4 Fund shall not include any amount equal to the amount of
5 refunds made during the second preceding calendar month by the
6 Department to retailers under this Section or any amount that
7 the Department determines is necessary to offset any amounts
8 which were payable to a different taxing body or fund but were
9 erroneously paid to the Illinois Telecommunications Access
10 Corporation Fund. The Commission shall distribute all the funds
11 to the Illinois Telecommunications Access Corporation and the
12 funds may only be used in accordance with the provisions of
13 this Section. The Department shall deduct 2% of all amounts
14 deposited in the Illinois Telecommunications Access
15 Corporation Fund during every year of remitted assessments. Of
16 the 2% deducted by the Department, one-half shall be
17 transferred into the Tax Compliance and Administration Fund to
18 reimburse the Department for its direct costs of administering
19 the collection and remittance of the assessment. The remaining
20 one-half shall be transferred into the Public Utility Fund to
21 reimburse the Commission for its costs of distributing to the
22 Illinois Telecommunications Access Corporation the amount
23 certified by the Department for distribution. The amount to be
24 charged or assessed under subsections (c) and (f) is not
25 imposed on a provider or the consumer for wireless Lifeline
26 service where the consumer does not pay the provider for the

1 service. Where the consumer purchases from the provider
2 optional minutes, texts, or other services in addition to the
3 federally funded Lifeline benefit, a consumer must pay the
4 charge or assessment, and it must be collected by the seller
5 according to this subsection (f).

6 Interconnected VoIP services shall not be considered an
7 intrastate telecommunications service for the purposes of this
8 Section in a manner inconsistent with federal law or Federal
9 Communications Commission regulation.

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

12 (h) The Commission may adopt rules necessary to implement
13 this Section.

14 (Source: P.A. 99-6, eff. 6-29-15; 99-143, eff. 7-27-15; 99-642,
15 eff. 7-28-16; 99-847, eff. 8-19-16; 99-933, eff. 1-27-17;
16 revised 2-15-17.)

17 (220 ILCS 5/13-1200)

18 (Section scheduled to be repealed on July 1, 2017)

19 Sec. 13-1200. Repealer. This Article is repealed December
20 31, 2020 ~~July 1, 2017~~.

21 (Source: P.A. 98-45, eff. 6-28-13; 99-6, eff. 6-29-15.)

22 (220 ILCS 5/21-401)

23 (Section scheduled to be repealed on July 1, 2017)

24 Sec. 21-401. Applications.

1 (a) (1) A person or entity seeking to provide cable service
2 or video service pursuant to this Article shall not use the
3 public rights-of-way for the installation or construction of
4 facilities for the provision of cable service or video service
5 or offer cable service or video service until it has obtained a
6 State-issued authorization to offer or provide cable or video
7 service under this Section, except as provided for in item (2)
8 of this subsection (a). All cable or video providers offering
9 or providing service in this State shall have authorization
10 pursuant to either (i) the Cable and Video Competition Law of
11 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the
12 Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section
13 5-1095 of the Counties Code (55 ILCS 5/5-1095).

14 (2) Nothing in this Section shall prohibit a local unit of
15 government from granting a permit to a person or entity for the
16 use of the public rights-of-way to install or construct
17 facilities to provide cable service or video service, at its
18 sole discretion. No unit of local government shall be liable
19 for denial or delay of a permit prior to the issuance of a
20 State-issued authorization.

21 (b) The application to the Commission for State-issued
22 authorization shall contain a completed affidavit submitted by
23 the applicant and signed by an officer or general partner of
24 the applicant affirming all of the following:

25 (1) That the applicant has filed or will timely file
26 with the Federal Communications Commission all forms

1 required by that agency in advance of offering cable
2 service or video service in this State.

3 (2) That the applicant agrees to comply with all
4 applicable federal and State statutes and regulations.

5 (3) That the applicant agrees to comply with all
6 applicable local unit of government regulations.

7 (4) An exact description of the cable service or video
8 service area where the cable service or video service will
9 be offered during the term of the State-issued
10 authorization. The service area shall be identified in
11 terms of either (i) exchanges, as that term is defined in
12 Section 13-206 of this Act; (ii) a collection of United
13 States Census Bureau Block numbers (13 digit); (iii) if the
14 area is smaller than the areas identified in either (i) or
15 (ii), by geographic information system digital boundaries
16 meeting or exceeding national map accuracy standards; or
17 (iv) local unit of government. The description shall
18 include the number of low-income households within the
19 service area or footprint. If an applicant is an incumbent
20 cable operator, the incumbent cable operator and any
21 successor-in-interest shall be obligated to provide access
22 to cable services or video services within any local units
23 of government at the same levels required by the local
24 franchising authorities for the local unit of government on
25 June 30, 2007 (the effective date of Public Act 95-9), and
26 its application shall provide a description of an area no

1 smaller than the service areas contained in its franchise
2 or franchises within the jurisdiction of the local unit of
3 government in which it seeks to offer cable or video
4 service.

5 (5) The location and telephone number of the
6 applicant's principal place of business within this State
7 and the names of the applicant's principal executive
8 officers who are responsible for communications concerning
9 the application and the services to be offered pursuant to
10 the application, the applicant's legal name, and any name
11 or names under which the applicant does or will provide
12 cable services or video services in this State.

13 (6) A certification that the applicant has
14 concurrently delivered a copy of the application to all
15 local units of government that include all or any part of
16 the service area identified in item (4) of this subsection
17 (b) within such local unit of government's jurisdictional
18 boundaries.

19 (7) The expected date that cable service or video
20 service will be initially offered in the area identified in
21 item (4) of this subsection (b). In the event that a holder
22 does not offer cable services or video services within 3
23 months after the expected date, it shall amend its
24 application and update the expected date service will be
25 offered and explain the delay in offering cable services or
26 video services.

1 (8) For any entity that received State-issued
2 authorization prior to this amendatory Act of the 98th
3 General Assembly as a cable operator and that intends to
4 proceed as a cable operator under this Article, the entity
5 shall file a written affidavit with the Commission and
6 shall serve a copy of the affidavit with any local units of
7 government affected by the authorization within 30 days
8 after the effective date of this amendatory Act of the 98th
9 General Assembly stating that the holder will be providing
10 cable service under the State-issued authorization.

11 The application shall include adequate assurance that the
12 applicant possesses the financial, managerial, legal, and
13 technical qualifications necessary to construct and operate
14 the proposed system, to promptly repair any damage to the
15 public right-of-way caused by the applicant, and to pay the
16 cost of removal of its facilities. To accomplish these
17 requirements, the applicant may, at the time the applicant
18 seeks to use the public rights-of-way in that jurisdiction, be
19 required by the State of Illinois or later be required by the
20 local unit of government, or both, to post a bond, produce a
21 certificate of insurance, or otherwise demonstrate its
22 financial responsibility.

23 The application shall include the applicant's general
24 standards related to customer service required by Section
25 22-501 of this Act, which shall include, but not be limited to,
26 installation, disconnection, service and repair obligations;

1 appointment hours; employee ID requirements; customer service
2 telephone numbers and hours; procedures for billing, charges,
3 deposits, refunds, and credits; procedures for termination of
4 service; notice of deletion of programming service and changes
5 related to transmission of programming or changes or increases
6 in rates; use and availability of parental control or lock-out
7 devices; complaint procedures and procedures for bill dispute
8 resolution and a description of the rights and remedies
9 available to consumers if the holder does not materially meet
10 their customer service standards; and special services for
11 customers with visual, hearing, or mobility disabilities.

12 (c)(1) The applicant may designate information that it
13 submits in its application or subsequent reports as
14 confidential or proprietary, provided that the applicant
15 states the reasons the confidential designation is necessary.
16 The Commission shall provide adequate protection for such
17 information pursuant to Section 4-404 of this Act. If the
18 Commission, a local unit of government, or any other party
19 seeks public disclosure of information designated as
20 confidential, the Commission shall consider the confidential
21 designation in a proceeding under the Illinois Administrative
22 Procedure Act, and the burden of proof to demonstrate that the
23 designated information is confidential shall be upon the
24 applicant. Designated information shall remain confidential
25 pending the Commission's determination of whether the
26 information is entitled to confidential treatment. Information

1 designated as confidential shall be provided to local units of
2 government for purposes of assessing compliance with this
3 Article as permitted under a Protective Order issued by the
4 Commission pursuant to the Commission's rules and to the
5 Attorney General pursuant to Section 6.5 of the Attorney
6 General Act (15 ILCS 205/6.5). Information designated as
7 confidential under this Section or determined to be
8 confidential upon Commission review shall only be disclosed
9 pursuant to a valid and enforceable subpoena or court order or
10 as required by the Freedom of Information Act. Nothing herein
11 shall delay the application approval timeframes set forth in
12 this Article.

13 (2) Information regarding the location of video services
14 that have been or are being offered to the public and aggregate
15 information included in the reports required by this Article
16 shall not be designated or treated as confidential.

17 (d)(1) The Commission shall post all applications it
18 receives under this Article on its web site within 5 business
19 days.

20 (2) The Commission shall notify an applicant for a cable
21 service or video service authorization whether the applicant's
22 application and affidavit are complete on or before the 15th
23 business day after the applicant submits the application. If
24 the application and affidavit are not complete, the Commission
25 shall state in its notice all of the reasons the application or
26 affidavit are incomplete, and the applicant shall resubmit a

1 complete application. The Commission shall have 30 days after
2 submission by the applicant of a complete application and
3 affidavit to issue the service authorization. If the Commission
4 does not notify the applicant regarding the completeness of the
5 application and affidavit or issue the service authorization
6 within the time periods required under this subsection, the
7 application and affidavit shall be considered complete and the
8 service authorization issued upon the expiration of the 30th
9 day.

10 (e) Any authorization issued by the Commission will expire
11 on December 31, 2023 ~~2020~~ and shall contain or include all of
12 the following:

13 (1) A grant of authority, including an authorization
14 issued prior to this amendatory Act of the 98th General
15 Assembly, to provide cable service or video service in the
16 service area footprint as requested in the application,
17 subject to the provisions of this Article in existence on
18 the date the grant of authority was issued, and any
19 modifications to this Article enacted at any time prior to
20 the date in Section 21-1601 of this Act, and to the laws of
21 the State and the ordinances, rules, and regulations of the
22 local units of government.

23 (2) A grant of authority to use, occupy, and construct
24 facilities in the public rights-of-way for the delivery of
25 cable service or video service in the service area
26 footprint, subject to the laws, ordinances, rules, or

1 regulations of this State and local units of governments.

2 (3) A statement that the grant of authority is subject
3 to lawful operation of the cable service or video service
4 by the applicant, its affiliated entities, or its
5 successors-in-interest.

6 (e-5) The Commission shall notify a local unit of
7 government within 3 business days of the grant of any
8 authorization within a service area footprint if that
9 authorization includes any part of the local unit of
10 government's jurisdictional boundaries and state whether the
11 holder will be providing video service or cable service under
12 the authorization.

13 (f) The authorization issued pursuant to this Section by
14 the Commission may be transferred to any successor-in-interest
15 to the applicant to which it is initially granted without
16 further Commission action if the successor-in-interest (i)
17 submits an application and the information required by
18 subsection (b) of this Section for the successor-in-interest
19 and (ii) is not in violation of this Article or of any federal,
20 State, or local law, ordinance, rule, or regulation. A
21 successor-in-interest shall file its application and notice of
22 transfer with the Commission and the relevant local units of
23 government no less than 15 business days prior to the
24 completion of the transfer. The Commission is not required or
25 authorized to act upon the notice of transfer; however, the
26 transfer is not effective until the Commission approves the

1 successor-in-interest's application. A local unit of
2 government or the Attorney General may seek to bar a transfer
3 of ownership by filing suit in a court of competent
4 jurisdiction predicated on the existence of a material and
5 continuing breach of this Article by the holder, a pattern of
6 noncompliance with customer service standards by the potential
7 successor-in-interest, or the insolvency of the potential
8 successor-in-interest. If a transfer is made when there are
9 violations of this Article or of any federal, State, or local
10 law, ordinance, rule, or regulation, the successor-in-interest
11 shall be subject to 3 times the penalties provided for in this
12 Article.

13 (g) The authorization issued pursuant to this Section by
14 the Commission may be terminated, or its cable service or video
15 service area footprint may be modified, by the cable service
16 provider or video service provider by submitting notice to the
17 Commission and to the relevant local unit of government
18 containing a description of the change on the same terms as the
19 initial description pursuant to item (4) of subsection (b) of
20 this Section. The Commission is not required or authorized to
21 act upon that notice. It shall be a violation of this Article
22 for a holder to discriminate against potential residential
23 subscribers because of the race or income of the residents in
24 the local area in which the group resides by terminating or
25 modifying its cable service or video service area footprint. It
26 shall be a violation of this Article for a holder to terminate

1 or modify its cable service or video service area footprint if
2 it leaves an area with no cable service or video service from
3 any provider.

4 (h) The Commission's authority to administer this Article
5 is limited to the powers and duties explicitly provided under
6 this Article. Its authority under this Article does not include
7 or limit the powers and duties that the Commission has under
8 the other Articles of this Act, the Illinois Administrative
9 Procedure Act, or any other law or regulation to conduct
10 proceedings, other than as provided in subsection (c), or has
11 to promulgate rules or regulations. The Commission shall not
12 have the authority to limit or expand the obligations and
13 requirements provided in this Section or to regulate or control
14 a person or entity to the extent that person or entity is
15 providing cable service or video service, except as provided in
16 this Article.

17 (Source: P.A. 98-45, eff. 6-28-13; 98-756, eff. 7-16-14; 99-6,
18 eff. 6-29-15.)

19 (220 ILCS 5/21-1601)

20 Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of
21 this Article are repealed December 31, 2020 ~~July 1, 2017~~.

22 (Source: P.A. 98-45, eff. 6-28-13; 99-6, eff. 6-29-15.)

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