



Sen. Emil Jones, III

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10100HB2174sam002

LRB101 07405 AMC 72281 a

1 AMENDMENT TO HOUSE BILL 2174

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2174 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by  
5 changing Section 4.32 as follows:

6 (5 ILCS 80/4.32)

7 Sec. 4.32. Acts repealed on January 1, 2022. The following  
8 Acts are repealed on January 1, 2022:

9 The Boxing and Full-contact Martial Arts Act.

10 The Cemetery Oversight Act.

11 The Collateral Recovery Act.

12 The Community Association Manager Licensing and  
13 Disciplinary Act.

14 The Crematory Regulation Act.

15 The Detection of Deception Examiners Act.

16 The Home Inspector License Act.

1           The Illinois Health Information Exchange and Technology  
2 Act.

3           The Medical Practice Act of 1987.

4           The Registered Interior Designers Act.

5           The Massage Licensing Act.

6           The Petroleum Equipment Contractors Licensing Act.

7           The Radiation Protection Act of 1990.

8           The Real Estate Appraiser Licensing Act of 2002.

9           The Water Well and Pump Installation Contractor's License  
10 Act.

11           (Source: P.A. 100-920, eff. 8-17-18; 101-316, eff. 8-9-19;  
12 101-614, eff. 12-20-19.)

13           (5 ILCS 80/4.31 rep.)

14           Section 10. The Regulatory Sunset Act is amended by  
15 repealing Section 4.31.

16           Section 15. The Renewable Energy, Energy Efficiency, and  
17 Coal Resources Development Law of 1997 is amended by changing  
18 Section 6-7 as follows:

19           (20 ILCS 687/6-7)

20           (Section scheduled to be repealed on December 31, 2020)

21           Sec. 6-7. Repeal. The provisions of this Law are repealed  
22 on December 31, 2021 ~~2020~~.

23           (Source: P.A. 99-489, eff. 12-4-15.)

1           Section 20. The Illinois Power Agency Act is amended by  
2 changing Section 1-130 as follows:

3           (20 ILCS 3855/1-130)

4           (Section scheduled to be repealed on January 1, 2021)

5           Sec. 1-130. Home rule preemption.

6           (a) The authorization to impose any new taxes or fees  
7 specifically related to the generation of electricity by, the  
8 capacity to generate electricity by, or the emissions into the  
9 atmosphere by electric generating facilities after the  
10 effective date of this Act is an exclusive power and function  
11 of the State. A home rule unit may not levy any new taxes or  
12 fees specifically related to the generation of electricity by,  
13 the capacity to generate electricity by, or the emissions into  
14 the atmosphere by electric generating facilities after the  
15 effective date of this Act. This Section is a denial and  
16 limitation on home rule powers and functions under subsection  
17 (g) of Section 6 of Article VII of the Illinois Constitution.

18           (b) This Section is repealed on January 1, 2022 ~~2021~~.

19           (Source: P.A. 100-1157, eff. 12-19-18.)

20           Section 25. The Emergency Telephone System Act is amended  
21 by changing Sections 3, 15.3, 15.3a, 15.6b, 30, and 99 as  
22 follows:

1 (50 ILCS 750/3) (from Ch. 134, par. 33)

2 (Section scheduled to be repealed on December 31, 2020)

3 Sec. 3. (a) By July 1, 2017, every local public agency  
4 shall be within the jurisdiction of a 9-1-1 system.

5 (b) By December 31, 2021 ~~July 1, 2020~~, every 9-1-1 system  
6 in Illinois shall provide Next Generation 9-1-1 service.

7 (c) Nothing in this Act shall be construed to prohibit or  
8 discourage in any way the formation of multijurisdictional or  
9 regional systems, and any system established pursuant to this  
10 Act may include the territory of more than one public agency or  
11 may include a segment of the territory of a public agency.

12 (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

13 (50 ILCS 750/15.3) (from Ch. 134, par. 45.3)

14 (Section scheduled to be repealed on December 31, 2020)

15 Sec. 15.3. Local non-wireless surcharge.

16 (a) Except as provided in subsection (l) of this Section,  
17 the corporate authorities of any municipality or any county  
18 may, subject to the limitations of subsections (c), (d), and  
19 (h), and in addition to any tax levied pursuant to the  
20 Simplified Municipal Telecommunications Tax Act, impose a  
21 monthly surcharge on billed subscribers of network connection  
22 provided by telecommunication carriers engaged in the business  
23 of transmitting messages by means of electricity originating  
24 within the corporate limits of the municipality or county  
25 imposing the surcharge at a rate per network connection

1 determined in accordance with subsection (c), however the  
2 monthly surcharge shall not apply to a network connection  
3 provided for use with pay telephone services. Provided,  
4 however, that where multiple voice grade communications  
5 channels are connected between the subscriber's premises and a  
6 public switched network through private branch exchange (PBX)  
7 or centrex type service, a municipality imposing a surcharge at  
8 a rate per network connection, as determined in accordance with  
9 this Act, shall impose:

10 (i) in a municipality with a population of 500,000 or  
11 less or in any county, 5 such surcharges per network  
12 connection, as defined under Section 2 of this Act, for  
13 both regular service and advanced service provisioned  
14 trunk lines;

15 (ii) in a municipality with a population, prior to  
16 March 1, 2010, of 500,000 or more, 5 surcharges per network  
17 connection, as defined under Section 2 of this Act, for  
18 both regular service and advanced service provisioned  
19 trunk lines;

20 (iii) in a municipality with a population, as of March  
21 1, 2010, of 500,000 or more, 5 surcharges per network  
22 connection, as defined under Section 2 of this Act, for  
23 regular service provisioned trunk lines, and 12 surcharges  
24 per network connection, as defined under Section 2 of this  
25 Act, for advanced service provisioned trunk lines, except  
26 where an advanced service provisioned trunk line supports

1 at least 2 but fewer than 23 simultaneous voice grade calls  
 2 ("VGC's"), a telecommunication carrier may elect to impose  
 3 fewer than 12 surcharges per trunk line as provided in  
 4 subsection (iv) of this Section; or

5 (iv) for an advanced service provisioned trunk line  
 6 connected between the subscriber's premises and the public  
 7 switched network through a P.B.X., where the advanced  
 8 service provisioned trunk line is capable of transporting  
 9 at least 2 but fewer than 23 simultaneous VGC's per trunk  
 10 line, the telecommunications carrier collecting the  
 11 surcharge may elect to impose surcharges in accordance with  
 12 the table provided in this Section, without limiting any  
 13 telecommunications carrier's obligations to otherwise keep  
 14 and maintain records. Any telecommunications carrier  
 15 electing to impose fewer than 12 surcharges per an advanced  
 16 service provisioned trunk line shall keep and maintain  
 17 records adequately to demonstrate the VGC capability of  
 18 each advanced service provisioned trunk line with fewer  
 19 than 12 surcharges imposed, provided that 12 surcharges  
 20 shall be imposed on an advanced service provisioned trunk  
 21 line regardless of the VGC capability where a  
 22 telecommunications carrier cannot demonstrate the VGC  
 23 capability of the advanced service provisioned trunk line.

24	Facility	VGC's	911	Surcharges
25	Advanced service provisioned trunk line	18-23		12

1	Advanced service provisioned trunk line 12-17	10
2	Advanced service provisioned trunk line 2-11	8

3           Subsections (i), (ii), (iii), and (iv) are not intended to  
4 make any change in the meaning of this Section, but are  
5 intended to remove possible ambiguity, thereby confirming the  
6 intent of paragraph (a) as it existed prior to and following  
7 the effective date of this amendatory Act of the 97th General  
8 Assembly.

9           For mobile telecommunications services, if a surcharge is  
10 imposed it shall be imposed based upon the municipality or  
11 county that encompasses the customer's place of primary use as  
12 defined in the Mobile Telecommunications Sourcing Conformity  
13 Act. A municipality may enter into an intergovernmental  
14 agreement with any county in which it is partially located,  
15 when the county has adopted an ordinance to impose a surcharge  
16 as provided in subsection (c), to include that portion of the  
17 municipality lying outside the county in that county's  
18 surcharge referendum. If the county's surcharge referendum is  
19 approved, the portion of the municipality identified in the  
20 intergovernmental agreement shall automatically be  
21 disconnected from the county in which it lies and connected to  
22 the county which approved the referendum for purposes of a  
23 surcharge on telecommunications carriers.

24           (b) For purposes of computing the surcharge imposed by  
25 subsection (a), the network connections to which the surcharge

1 shall apply shall be those in-service network connections,  
 2 other than those network connections assigned to the  
 3 municipality or county, where the service address for each such  
 4 network connection or connections is located within the  
 5 corporate limits of the municipality or county levying the  
 6 surcharge. Except for mobile telecommunication services, the  
 7 "service address" shall mean the location of the primary use of  
 8 the network connection or connections. For mobile  
 9 telecommunication services, "service address" means the  
 10 customer's place of primary use as defined in the Mobile  
 11 Telecommunications Sourcing Conformity Act.

12 (c) Upon the passage of an ordinance to impose a surcharge  
 13 under this Section the clerk of the municipality or county  
 14 shall certify the question of whether the surcharge may be  
 15 imposed to the proper election authority who shall submit the  
 16 public question to the electors of the municipality or county  
 17 in accordance with the general election law; provided that such  
 18 question shall not be submitted at a consolidated primary  
 19 election. The public question shall be in substantially the  
 20 following form:

21 -----  
 22 Shall the county (or city, village  
 23 or incorporated town) of ..... impose YES  
 24 a surcharge of up to ...¢ per month per  
 25 network connection, which surcharge will  
 26 be added to the monthly bill you receive -----



1 for telephone or telecommunications  
2 charges, for the purpose of installing  
3 (or improving) a 9-1-1 Emergency Telephone System? NO  
4

5 -----  
6 If a majority of the votes cast upon the public question  
7 are in favor thereof, the surcharge shall be imposed.

8 However, if a Joint Emergency Telephone System Board is to  
9 be created pursuant to an intergovernmental agreement under  
10 Section 15.4, the ordinance to impose the surcharge shall be  
11 subject to the approval of a majority of the total number of  
12 votes cast upon the public question by the electors of all of  
13 the municipalities or counties, or combination thereof, that  
14 are parties to the intergovernmental agreement.

15 The referendum requirement of this subsection (c) shall not  
16 apply to any municipality with a population over 500,000 or to  
17 any county in which a proposition as to whether a sophisticated  
18 9-1-1 Emergency Telephone System should be installed in the  
19 county, at a cost not to exceed a specified monthly amount per  
20 network connection, has previously been approved by a majority  
21 of the electors of the county voting on the proposition at an  
22 election conducted before the effective date of this amendatory  
23 Act of 1987.

24 (d) A county may not impose a surcharge, unless requested  
25 by a municipality, in any incorporated area which has  
26 previously approved a surcharge as provided in subsection (c)

1 or in any incorporated area where the corporate authorities of  
2 the municipality have previously entered into a binding  
3 contract or letter of intent with a telecommunications carrier  
4 to provide sophisticated 9-1-1 service through municipal  
5 funds.

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

10 (f) The surcharge authorized by this Section shall be  
11 collected from the subscriber by the telecommunications  
12 carrier providing the subscriber the network connection as a  
13 separately stated item on the subscriber's bill.

14 (g) The amount of surcharge collected by the  
15 telecommunications carrier shall be paid to the particular  
16 municipality or county or Joint Emergency Telephone System  
17 Board not later than 30 days after the surcharge is collected,  
18 net of any network or other 9-1-1 or sophisticated 9-1-1 system  
19 charges then due the particular telecommunications carrier, as  
20 shown on an itemized bill. The telecommunications carrier  
21 collecting the surcharge shall also be entitled to deduct 3% of  
22 the gross amount of surcharge collected to reimburse the  
23 telecommunications carrier for the expense of accounting and  
24 collecting the surcharge.

25 (h) Except as expressly provided in subsection (a) of this  
26 Section, on or after the effective date of this amendatory Act

1 of the 98th General Assembly and until December 31, 2017, a  
2 municipality with a population of 500,000 or more shall not  
3 impose a monthly surcharge per network connection in excess of  
4 the highest monthly surcharge imposed as of January 1, 2014 by  
5 any county or municipality under subsection (c) of this  
6 Section. Beginning January 1, 2018 and until December 31, 2021  
7 ~~2020~~, a municipality with a population over 500,000 may not  
8 impose a monthly surcharge in excess of \$5.00 per network  
9 connection. On or after January 1, 2022 ~~2021~~, a municipality  
10 with a population over 500,000 may not impose a monthly  
11 surcharge in excess of \$2.50 per network connection.

12 (i) Any municipality or county or joint emergency telephone  
13 system board that has imposed a surcharge pursuant to this  
14 Section prior to the effective date of this amendatory Act of  
15 1990 shall hereafter impose the surcharge in accordance with  
16 subsection (b) of this Section.

17 (j) The corporate authorities of any municipality or county  
18 may issue, in accordance with Illinois law, bonds, notes or  
19 other obligations secured in whole or in part by the proceeds  
20 of the surcharge described in this Section. The State of  
21 Illinois pledges and agrees that it will not limit or alter the  
22 rights and powers vested in municipalities and counties by this  
23 Section to impose the surcharge so as to impair the terms of or  
24 affect the security for bonds, notes or other obligations  
25 secured in whole or in part with the proceeds of the surcharge  
26 described in this Section. The pledge and agreement set forth

1 in this Section survive the termination of the surcharge under  
2 subsection (l) by virtue of the replacement of the surcharge  
3 monies guaranteed under Section 20; the State of Illinois  
4 pledges and agrees that it will not limit or alter the rights  
5 vested in municipalities and counties to the surcharge  
6 replacement funds guaranteed under Section 20 so as to impair  
7 the terms of or affect the security for bonds, notes or other  
8 obligations secured in whole or in part with the proceeds of  
9 the surcharge described in this Section.

10 (k) Any surcharge collected by or imposed on a  
11 telecommunications carrier pursuant to this Section shall be  
12 held to be a special fund in trust for the municipality, county  
13 or Joint Emergency Telephone Board imposing the surcharge.  
14 Except for the 3% deduction provided in subsection (g) above,  
15 the special fund shall not be subject to the claims of  
16 creditors of the telecommunication carrier.

17 (l) Any surcharge imposed pursuant to this Section by a  
18 county or municipality, other than a municipality with a  
19 population in excess of 500,000, shall cease to be imposed on  
20 January 1, 2016.

21 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

22 (50 ILCS 750/15.3a)

23 (Section scheduled to be repealed on December 31, 2020)

24 Sec. 15.3a. Local wireless surcharge.

25 (a) Notwithstanding any other provision of this Act, a unit

1 of local government or emergency telephone system board  
2 providing wireless 9-1-1 service and imposing and collecting a  
3 wireless carrier surcharge prior to July 1, 1998 may continue  
4 its practices of imposing and collecting its wireless carrier  
5 surcharge, but, except as provided in subsection (b) of this  
6 Section, in no event shall that monthly surcharge exceed \$2.50  
7 per commercial mobile radio service (CMRS) connection or  
8 in-service telephone number billed on a monthly basis. For  
9 mobile telecommunications services provided on and after  
10 August 1, 2002, any surcharge imposed shall be imposed based  
11 upon the municipality or county that encompasses the customer's  
12 place of primary use as defined in the Mobile  
13 Telecommunications Sourcing Conformity Act.

14 (b) Until December 31, 2017, the corporate authorities of a  
15 municipality with a population in excess of 500,000 on the  
16 effective date of this amendatory Act of the 99th General  
17 Assembly may by ordinance continue to impose and collect a  
18 monthly surcharge per commercial mobile radio service (CMRS)  
19 connection or in-service telephone number billed on a monthly  
20 basis that does not exceed the highest monthly surcharge  
21 imposed as of January 1, 2014 by any county or municipality  
22 under subsection (c) of Section 15.3 of this Act. Beginning  
23 January 1, 2018, and until December 31, 2021 ~~2020~~, a  
24 municipality with a population in excess of 500,000 may by  
25 ordinance continue to impose and collect a monthly surcharge  
26 per commercial mobile radio service (CMRS) connection or

1 in-service telephone number billed on a monthly basis that does  
2 not exceed \$5.00. On or after January 1, 2022 ~~2021~~, the  
3 municipality may continue imposing and collecting its wireless  
4 carrier surcharge as provided in and subject to the limitations  
5 of subsection (a) of this Section.

6 (c) In addition to any other lawful purpose, a municipality  
7 with a population over 500,000 may use the moneys collected  
8 under this Section for any anti-terrorism or emergency  
9 preparedness measures, including, but not limited to,  
10 preparedness planning, providing local matching funds for  
11 federal or State grants, personnel training, and specialized  
12 equipment, including surveillance cameras, as needed to deal  
13 with natural and terrorist-inspired emergency situations or  
14 events.

15 (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

16 (50 ILCS 750/15.6b)

17 (Section scheduled to be repealed on December 31, 2020)

18 Sec. 15.6b. Next Generation 9-1-1 service.

19 (a) The Administrator, with the advice and recommendation  
20 of the Statewide 9-1-1 Advisory Board, shall develop and  
21 implement a plan for a statewide Next Generation 9-1-1 network.  
22 The Next Generation 9-1-1 network must be an Internet  
23 protocol-based platform that at a minimum provides:

24 (1) improved 9-1-1 call delivery;

25 (2) enhanced interoperability;

1           (3) increased ease of communication between 9-1-1  
2 service providers, allowing immediate transfer of 9-1-1  
3 calls, caller information, photos, and other data  
4 statewide;

5           (4) a hosted solution with redundancy built in; and

6           (5) compliance with NENA Standards i3 Solution 08-003.

7           (b) By July 1, 2016, the Administrator, with the advice and  
8 recommendation of the Statewide 9-1-1 Advisory Board, shall  
9 design and issue a competitive request for a proposal to secure  
10 the services of a consultant to complete a feasibility study on  
11 the implementation of a statewide Next Generation 9-1-1 network  
12 in Illinois. By July 1, 2017, the consultant shall complete the  
13 feasibility study and make recommendations as to the  
14 appropriate procurement approach for developing a statewide  
15 Next Generation 9-1-1 network.

16           (c) Within 12 months of the final report from the  
17 consultant under subsection (b) of this Section, the Department  
18 shall procure and finalize a contract with a vendor certified  
19 under Section 13-900 of the Public Utilities Act to establish a  
20 statewide Next Generation 9-1-1 network. By July 1, 2021 ~~2020~~,  
21 the vendor shall implement a Next Generation 9-1-1 network that  
22 allows 9-1-1 systems providing 9-1-1 service to Illinois  
23 residents to access the system utilizing their current  
24 infrastructure if it meets the standards adopted by the  
25 Department.

26           (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

1 (50 ILCS 750/30)

2 (Section scheduled to be repealed on December 31, 2020)

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

4 (a) A special fund in the State treasury known as the  
5 Wireless Service Emergency Fund shall be renamed the Statewide  
6 9-1-1 Fund. Any appropriations made from the Wireless Service  
7 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.  
8 The Fund shall consist of the following:

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

11 (2) 9-1-1 surcharges assessed under Section 20 of this  
12 Act.

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

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

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

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

21 (b) Subject to appropriation and availability of funds, the  
22 Department shall distribute the 9-1-1 surcharges monthly as  
23 follows:

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



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

10           (B) \$0.033 shall be transferred by the Comptroller  
11 at the direction of the Department to the Wireless  
12 Carrier Reimbursement Fund until June 30, 2017; from  
13 July 1, 2017 through June 30, 2018, \$0.026 shall be  
14 transferred; from July 1, 2018 through June 30, 2019,  
15 \$0.020 shall be transferred; from July 1, 2019, through  
16 June 30, 2020, \$0.013 shall be transferred; from July  
17 1, 2020 through June 30, 2021, \$0.007 will be  
18 transferred; and after June 30, 2021, no transfer shall  
19 be made to the Wireless Carrier Reimbursement Fund.

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

23           (D) Beginning January 1, 2018, until June 30, 2020,  
24 \$0.12, and on and after July 1, 2020, \$0.04 shall be  
25 used to make monthly proportional grants to the  
26 appropriate 9-1-1 Authority currently taking wireless

1 9-1-1 based upon the United States Postal Zip Code of  
2 the billing addresses of subscribers wireless  
3 carriers.

4 (E) Until June 30, 2021 ~~2020~~, \$0.05 shall be used  
5 by the Department for grants for NG9-1-1 expenses, with  
6 priority given to 9-1-1 Authorities that provide 9-1-1  
7 service within the territory of a Large Electing  
8 Provider as defined in Section 13-406.1 of the Public  
9 Utilities Act.

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

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

16 (A) The Fund shall pay monthly to:

17 (i) the 9-1-1 Authorities that imposed  
18 surcharges under Section 15.3 of this Act and were  
19 required to report to the Illinois Commerce  
20 Commission under Section 27 of the Wireless  
21 Emergency Telephone Safety Act on October 1, 2014,  
22 except a 9-1-1 Authority in a municipality with a  
23 population in excess of 500,000, an amount equal to  
24 the average monthly wireline and VoIP surcharge  
25 revenue attributable to the most recent 12-month  
26 period reported to the Department under that

1 Section for the October 1, 2014 filing, subject to  
2 the power of the Department to investigate the  
3 amount reported and adjust the number by order  
4 under Article X of the Public Utilities Act, so  
5 that the monthly amount paid under this item  
6 accurately reflects one-twelfth of the aggregate  
7 wireline and VoIP surcharge revenue properly  
8 attributable to the most recent 12-month period  
9 reported to the Commission; or

10 (ii) county qualified governmental entities  
11 that did not impose a surcharge under Section 15.3  
12 as of December 31, 2015, and counties that did not  
13 impose a surcharge as of June 30, 2015, an amount  
14 equivalent to their population multiplied by .37  
15 multiplied by the rate of \$0.69; counties that are  
16 not county qualified governmental entities and  
17 that did not impose a surcharge as of December 31,  
18 2015, shall not begin to receive the payment  
19 provided for in this subsection until E9-1-1 and  
20 wireless E9-1-1 services are provided within their  
21 counties; or

22 (iii) counties without 9-1-1 service that had  
23 a surcharge in place by December 31, 2015, an  
24 amount equivalent to their population multiplied  
25 by .37 multiplied by their surcharge rate as  
26 established by the referendum.

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

5 (C) All expenses incurred by the Administrator and  
6 the Statewide 9-1-1 Advisory Board and costs  
7 associated with procurement under Section 15.6b  
8 including requests for information and requests for  
9 proposals.

10 (D) Funds may be held in reserve by the Statewide  
11 9-1-1 Advisory Board and disbursed by the Department  
12 for grants under Section 15.4b of this Act and for  
13 NG9-1-1 expenses up to \$12.5 million per year in State  
14 fiscal years 2016 and 2017; up to \$20 million in State  
15 fiscal year 2018; up to \$20.9 million in State fiscal  
16 year 2019; up to \$15.3 million in State fiscal year  
17 2020; up to \$16.2 million in State fiscal year 2021; up  
18 to \$23.1 million in State fiscal year 2022; and up to  
19 \$17.0 million per year for State fiscal year 2023 and  
20 each year thereafter. The amount held in reserve in  
21 State fiscal years 2018 and 2019 shall not be less than  
22 \$6.5 million. Disbursements under this subparagraph  
23 (D) shall be prioritized as follows: (i) consolidation  
24 grants prioritized under subsection (a) of Section  
25 15.4b of this Act; (ii) NG9-1-1 expenses; and (iii)  
26 consolidation grants under Section 15.4b of this Act

1           for consolidation expenses incurred between January 1,  
2           2010, and January 1, 2016.

3           (E) All remaining funds per remit month shall be  
4           used to make monthly proportional grants to the  
5           appropriate 9-1-1 Authority currently taking wireless  
6           9-1-1 based upon the United States Postal Zip Code of  
7           the billing addresses of subscribers of wireless  
8           carriers.

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

12          (d) Whenever two or more 9-1-1 Authorities consolidate, the  
13          resulting Joint Emergency Telephone System Board shall be  
14          entitled to the monthly payments that had theretofore been made  
15          to each consolidating 9-1-1 Authority. Any reserves held by any  
16          consolidating 9-1-1 Authority shall be transferred to the  
17          resulting Joint Emergency Telephone System Board. Whenever a  
18          county that has no 9-1-1 service as of January 1, 2016 enters  
19          into an agreement to consolidate to create or join a Joint  
20          Emergency Telephone System Board, the Joint Emergency  
21          Telephone System Board shall be entitled to the monthly  
22          payments that would have otherwise been paid to the county if  
23          it had provided 9-1-1 service.

24          (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

1 (Section scheduled to be repealed on December 31, 2020)

2 Sec. 99. Repealer. This Act is repealed on December 31,  
3 2021 ~~2020~~.

4 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

5 Section 30. The Public Utilities Act is amended by changing  
6 Sections 13-1200, 21-401, and 21-1601 as follows:

7 (220 ILCS 5/13-1200)

8 (Section scheduled to be repealed on December 31, 2020)

9 Sec. 13-1200. Repealer. This Article is repealed December  
10 31, 2021 ~~2020~~.

11 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

12 (220 ILCS 5/21-401)

13 (Section scheduled to be repealed on December 31, 2020)

14 Sec. 21-401. Applications.

15 (a) (1) A person or entity seeking to provide cable service  
16 or video service pursuant to this Article shall not use the  
17 public rights-of-way for the installation or construction of  
18 facilities for the provision of cable service or video service  
19 or offer cable service or video service until it has obtained a  
20 State-issued authorization to offer or provide cable or video  
21 service under this Section, except as provided for in item (2)  
22 of this subsection (a). All cable or video providers offering  
23 or providing service in this State shall have authorization

1 pursuant to either (i) the Cable and Video Competition Law of  
2 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the  
3 Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section  
4 5-1095 of the Counties Code (55 ILCS 5/5-1095).

5 (2) Nothing in this Section shall prohibit a local unit of  
6 government from granting a permit to a person or entity for the  
7 use of the public rights-of-way to install or construct  
8 facilities to provide cable service or video service, at its  
9 sole discretion. No unit of local government shall be liable  
10 for denial or delay of a permit prior to the issuance of a  
11 State-issued authorization.

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

16 (1) That the applicant has filed or will timely file  
17 with the Federal Communications Commission all forms  
18 required by that agency in advance of offering cable  
19 service or video service in this State.

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

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

24 (4) An exact description of the cable service or video  
25 service area where the cable service or video service will  
26 be offered during the term of the State-issued

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

22 (5) The location and telephone number of the  
23 applicant's principal place of business within this State  
24 and the names of the applicant's principal executive  
25 officers who are responsible for communications concerning  
26 the application and the services to be offered pursuant to



1 the application, the applicant's legal name, and any name  
2 or names under which the applicant does or will provide  
3 cable services or video services in this State.

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

10 (7) The expected date that cable service or video  
11 service will be initially offered in the area identified in  
12 item (4) of this subsection (b). In the event that a holder  
13 does not offer cable services or video services within 3  
14 months after the expected date, it shall amend its  
15 application and update the expected date service will be  
16 offered and explain the delay in offering cable services or  
17 video services.

18 (8) For any entity that received State-issued  
19 authorization prior to this amendatory Act of the 98th  
20 General Assembly as a cable operator and that intends to  
21 proceed as a cable operator under this Article, the entity  
22 shall file a written affidavit with the Commission and  
23 shall serve a copy of the affidavit with any local units of  
24 government affected by the authorization within 30 days  
25 after the effective date of this amendatory Act of the 98th  
26 General Assembly stating that the holder will be providing

1 cable service under the State-issued authorization.

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

14 The application shall include the applicant's general  
15 standards related to customer service required by Section  
16 22-501 of this Act, which shall include, but not be limited to,  
17 installation, disconnection, service and repair obligations;  
18 appointment hours; employee ID requirements; customer service  
19 telephone numbers and hours; procedures for billing, charges,  
20 deposits, refunds, and credits; procedures for termination of  
21 service; notice of deletion of programming service and changes  
22 related to transmission of programming or changes or increases  
23 in rates; use and availability of parental control or lock-out  
24 devices; complaint procedures and procedures for bill dispute  
25 resolution and a description of the rights and remedies  
26 available to consumers if the holder does not materially meet

1 their customer service standards; and special services for  
2 customers with visual, hearing, or mobility disabilities.

3 (c)(1) The applicant may designate information that it  
4 submits in its application or subsequent reports as  
5 confidential or proprietary, provided that the applicant  
6 states the reasons the confidential designation is necessary.  
7 The Commission shall provide adequate protection for such  
8 information pursuant to Section 4-404 of this Act. If the  
9 Commission, a local unit of government, or any other party  
10 seeks public disclosure of information designated as  
11 confidential, the Commission shall consider the confidential  
12 designation in a proceeding under the Illinois Administrative  
13 Procedure Act, and the burden of proof to demonstrate that the  
14 designated information is confidential shall be upon the  
15 applicant. Designated information shall remain confidential  
16 pending the Commission's determination of whether the  
17 information is entitled to confidential treatment. Information  
18 designated as confidential shall be provided to local units of  
19 government for purposes of assessing compliance with this  
20 Article as permitted under a Protective Order issued by the  
21 Commission pursuant to the Commission's rules and to the  
22 Attorney General pursuant to Section 6.5 of the Attorney  
23 General Act (15 ILCS 205/6.5). Information designated as  
24 confidential under this Section or determined to be  
25 confidential upon Commission review shall only be disclosed  
26 pursuant to a valid and enforceable subpoena or court order or

1 as required by the Freedom of Information Act. Nothing herein  
2 shall delay the application approval timeframes set forth in  
3 this Article.

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

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

11 (2) The Commission shall notify an applicant for a cable  
12 service or video service authorization whether the applicant's  
13 application and affidavit are complete on or before the 15th  
14 business day after the applicant submits the application. If  
15 the application and affidavit are not complete, the Commission  
16 shall state in its notice all of the reasons the application or  
17 affidavit are incomplete, and the applicant shall resubmit a  
18 complete application. The Commission shall have 30 days after  
19 submission by the applicant of a complete application and  
20 affidavit to issue the service authorization. If the Commission  
21 does not notify the applicant regarding the completeness of the  
22 application and affidavit or issue the service authorization  
23 within the time periods required under this subsection, the  
24 application and affidavit shall be considered complete and the  
25 service authorization issued upon the expiration of the 30th  
26 day.

1           (e) Any authorization issued by the Commission will expire  
2 on December 31, 2024 ~~2023~~ and shall contain or include all of  
3 the following:

4           (1) A grant of authority, including an authorization  
5 issued prior to this amendatory Act of the 98th General  
6 Assembly, to provide cable service or video service in the  
7 service area footprint as requested in the application,  
8 subject to the provisions of this Article in existence on  
9 the date the grant of authority was issued, and any  
10 modifications to this Article enacted at any time prior to  
11 the date in Section 21-1601 of this Act, and to the laws of  
12 the State and the ordinances, rules, and regulations of the  
13 local units of government.

14           (2) A grant of authority to use, occupy, and construct  
15 facilities in the public rights-of-way for the delivery of  
16 cable service or video service in the service area  
17 footprint, subject to the laws, ordinances, rules, or  
18 regulations of this State and local units of governments.

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

23           (e-5) The Commission shall notify a local unit of  
24 government within 3 business days of the grant of any  
25 authorization within a service area footprint if that  
26 authorization includes any part of the local unit of

1 government's jurisdictional boundaries and state whether the  
2 holder will be providing video service or cable service under  
3 the authorization.

4 (f) The authorization issued pursuant to this Section by  
5 the Commission may be transferred to any successor-in-interest  
6 to the applicant to which it is initially granted without  
7 further Commission action if the successor-in-interest (i)  
8 submits an application and the information required by  
9 subsection (b) of this Section for the successor-in-interest  
10 and (ii) is not in violation of this Article or of any federal,  
11 State, or local law, ordinance, rule, or regulation. A  
12 successor-in-interest shall file its application and notice of  
13 transfer with the Commission and the relevant local units of  
14 government no less than 15 business days prior to the  
15 completion of the transfer. The Commission is not required or  
16 authorized to act upon the notice of transfer; however, the  
17 transfer is not effective until the Commission approves the  
18 successor-in-interest's application. A local unit of  
19 government or the Attorney General may seek to bar a transfer  
20 of ownership by filing suit in a court of competent  
21 jurisdiction predicated on the existence of a material and  
22 continuing breach of this Article by the holder, a pattern of  
23 noncompliance with customer service standards by the potential  
24 successor-in-interest, or the insolvency of the potential  
25 successor-in-interest. If a transfer is made when there are  
26 violations of this Article or of any federal, State, or local

1 law, ordinance, rule, or regulation, the successor-in-interest  
2 shall be subject to 3 times the penalties provided for in this  
3 Article.

4 (g) The authorization issued pursuant to this Section by  
5 the Commission may be terminated, or its cable service or video  
6 service area footprint may be modified, by the cable service  
7 provider or video service provider by submitting notice to the  
8 Commission and to the relevant local unit of government  
9 containing a description of the change on the same terms as the  
10 initial description pursuant to item (4) of subsection (b) of  
11 this Section. The Commission is not required or authorized to  
12 act upon that notice. It shall be a violation of this Article  
13 for a holder to discriminate against potential residential  
14 subscribers because of the race or income of the residents in  
15 the local area in which the group resides by terminating or  
16 modifying its cable service or video service area footprint. It  
17 shall be a violation of this Article for a holder to terminate  
18 or modify its cable service or video service area footprint if  
19 it leaves an area with no cable service or video service from  
20 any provider.

21 (h) The Commission's authority to administer this Article  
22 is limited to the powers and duties explicitly provided under  
23 this Article. Its authority under this Article does not include  
24 or limit the powers and duties that the Commission has under  
25 the other Articles of this Act, the Illinois Administrative  
26 Procedure Act, or any other law or regulation to conduct

1 proceedings, other than as provided in subsection (c), or has  
2 to promulgate rules or regulations. The Commission shall not  
3 have the authority to limit or expand the obligations and  
4 requirements provided in this Section or to regulate or control  
5 a person or entity to the extent that person or entity is  
6 providing cable service or video service, except as provided in  
7 this Article.

8 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

9 (220 ILCS 5/21-1601)

10 (Section scheduled to be repealed on December 31, 2020)

11 Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of  
12 this Article are repealed December 31, 2021 ~~2020~~.

13 (Source: P.A. 99-6, eff. 6-29-15; 100-20, eff. 7-1-17.)

14 Section 35. The Mercury Thermostat Collection Act is  
15 amended by changing Section 55 as follows:

16 (415 ILCS 98/55)

17 (Section scheduled to be repealed on January 1, 2021)

18 Sec. 55. Repealer. This Act is repealed on January 1, 2022  
19 ~~2021~~.

20 (Source: P.A. 96-1295, eff. 7-26-10.)

21 Section 40. The Transportation Network Providers Act is  
22 amended by changing Section 34 as follows:



1 (625 ILCS 57/34)

2 (Section scheduled to be repealed on June 1, 2020)

3 Sec. 34. Repeal. This Act is repealed on June 1, 2021 ~~2020~~.

4 (Source: P.A. 99-56, eff. 7-16-15.)

5 Section 45. The Mechanics Lien Act is amended by changing  
6 Section 6 as follows:

7 (770 ILCS 60/6) (from Ch. 82, par. 6)

8 Sec. 6. In no event shall it be necessary to fix or  
9 stipulate in any contract a time for the completion or a time  
10 for payment in order to obtain a lien under this Act, provided,  
11 that the work is done or material furnished within three years  
12 from the commencement of said work or the commencement of  
13 furnishing said material in the case of work done or material  
14 furnished as to residential property; and within 5 years from  
15 the commencement of said work or the commencement of furnishing  
16 said material in the case of work done or material furnished as  
17 to any other type of property. The changes made by Public Act  
18 97-966 are operative from January 1, 2013 through December 31,  
19 2021 ~~2020~~.

20 (Source: P.A. 99-852, eff. 8-19-16.)

21 Section 50. "An Act concerning employment", approved  
22 August 9, 2019 (Public Act 101-221), is amended by changing

1 Section 99-99 as follows:

2 (P.A. 101-221, Sec. 99-99)

3 Sec. 99-99. Effective date. This Act takes effect January  
4 1, 2020, except that: (i) Article 5 takes effect March 1, 2021  
5 ~~July 1, 2020~~; and (ii) Article 6 and this Article take effect  
6 upon becoming law.

7 (Source: P.A. 101-221.)

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