



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3848

by Rep. Jonathan Carroll

SYNOPSIS AS INTRODUCED:

5 ILCS 70/1.43 new	
5 ILCS 70/1.44 new	
50 ILCS 750/2	from Ch. 134, par. 32
50 ILCS 750/6.1	from Ch. 134, par. 36.1
105 ILCS 5/2-3.83	from Ch. 122, par. 2-3.83
105 ILCS 5/14-11.02	from Ch. 122, par. 14-11.02
220 ILCS 5/13-213	from Ch. 111 2/3, par. 13-213
425 ILCS 60/3	from Ch. 127 1/2, par. 803
510 ILCS 5/15	from Ch. 8, par. 365
510 ILCS 5/15.1	
510 ILCS 70/7.15	
775 ILCS 5/8-102	from Ch. 68, par. 8-102
775 ILCS 30/3	from Ch. 23, par. 3363

Amends the Emergency Telephone System Act, the School Code, the Public Utilities Act, the Smoke Detector Act, and other Acts by replacing all references to "hearing impaired" with "deaf, hard of hearing, and DeafBlind." Amends the Statutes in Statutes. Defines "DeafBlind." Provides that except where the context indicates otherwise, in any rule, contract, or other document a reference to the term "hearing impaired" shall be considered a reference to the term "deaf" or "hard of hearing". Effective immediately.

LRB101 12710 KTG 61425 b

1 AN ACT concerning persons who are deaf, hard of hearing, or
2 DeafBlind.

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

5 Section 5. The Statute on Statutes is amended by adding
6 Sections 1.43 and 1.44 as follows:

7 (5 ILCS 70/1.43 new)

8 Sec. 1.43. Hearing impaired. Except where the context
9 indicates otherwise, in any rule, contract, or other document a
10 reference to the term "hearing impaired" shall be considered a
11 reference to the term "deaf" or "hard of hearing". The use of
12 either "hearing impaired", "deaf", or "hard of hearing" shall
13 not invalidate any rule, contract, or other document.

14 (5 ILCS 70/1.44 new)

15 Sec. 1.44. DeafBlind. "DeafBlind" means a person who may be
16 born without significant use of visual and auditory senses or
17 may experience progressive loss of both senses over a period of
18 a lifetime. A DeafBlind person may use touch as his or her
19 primary sense in order to engage with his or her physical and
20 social environment. A DeafBlind person's touch senses may be
21 enhanced through the use of low-tech and high-tech solutions
22 such as white canes, braille and electronics, also known as

1 adaptive technologies. Communication may involve spoken,
2 written, signed, and touch languages. Services may include
3 intervenors for educational development, support service
4 providers for access to non-touch-accessible interactions, and
5 tactile interpreting, as well as transitional services for
6 those experiencing progressive loss.

7 Section 10. The Emergency Telephone System Act is amended
8 by changing Sections 2 and 6.1 as follows:

9 (50 ILCS 750/2) (from Ch. 134, par. 32)

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

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

13 "9-1-1 network" means the network used for the delivery of
14 9-1-1 calls and messages over dedicated and redundant
15 facilities to a primary or backup 9-1-1 PSAP that meets P.01
16 grade of service standards for basic 9-1-1 and enhanced 9-1-1
17 services or meets national I3 industry call delivery standards
18 for Next Generation 9-1-1 services.

19 "9-1-1 system" means the geographic area that has been
20 granted an order of authority by the Commission or the
21 Statewide 9-1-1 Administrator to use "9-1-1" as the primary
22 emergency telephone number.

23 "9-1-1 Authority" includes an Emergency Telephone System
24 Board, Joint Emergency Telephone System Board, and a qualified

1 governmental entity. "9-1-1 Authority" includes the Department
2 of State Police only to the extent it provides 9-1-1 services
3 under this Act.

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

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

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

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

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

24 "Backup PSAP" means a public safety answering point that
25 serves as an alternate to the PSAP for enhanced systems and is
26 at a different location and operates independently from the

1 PSAP. A backup PSAP may accept overflow calls from the PSAP or
2 be activated if the primary PSAP is disabled.

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

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

8 "Commission" means the Illinois Commerce Commission.

9 "Computer aided dispatch" or "CAD" means a computer-based
10 system that aids PSAP telecommunicators by automating selected
11 dispatching and recordkeeping activities.

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

16 "Department" means the Department of State Police.

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

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

24 "Enhanced 9-1-1" or "E9-1-1" means a telephone system that
25 includes network switching, database and PSAP premise elements
26 capable of providing automatic location identification data,

1 selective routing, selective transfer, fixed transfer, and a
2 call back number, including any enhanced 9-1-1 service so
3 designated by the Federal Communications Commission in its
4 report and order in WC Dockets Nos. 04-36 and 05-196, or any
5 successor proceeding.

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

9 "Deaf, hard of hearing, or DeafBlind ~~Hearing impaired~~
10 individual" means a person with a permanent hearing loss who
11 can regularly and routinely communicate by telephone only
12 through the aid of devices which can send and receive written
13 messages over the telephone network.

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

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

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

20 (3) collects a variety of formatted data relevant to
21 9-1-1 and first responder needs, which may include, but is
22 not limited to, photographs of the telephone subscribers,
23 physical descriptions, medical information, household
24 data, and emergency contacts;

25 (4) allows for information to be entered by telephone
26 subscribers through a secure website where they can elect

1 to provide as little or as much information as they choose;

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

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

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

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

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

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

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

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

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

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

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

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

13 "Network costs" means those recurring costs that directly
14 relate to the operation of the 9-1-1 network as determined by
15 the Statewide 9-1-1 Administrator with the advice of the
16 Statewide 9-1-1 Advisory Board, which may include, but need not
17 be limited to, some or all of the following: costs for
18 interoffice trunks, selective routing charges, transfer lines
19 and toll charges for 9-1-1 services, Automatic Location
20 Information (ALI) database charges, independent local exchange
21 carrier charges and non-system provider charges, carrier
22 charges for third party database for on-site customer premises
23 equipment, back-up PSAP trunks for non-system providers,
24 periodic database updates as provided by carrier (also known as
25 "ALI data dump"), regional ALI storage charges, circuits for
26 call delivery (fiber or circuit connection), NG9-1-1 costs, and

1 all associated fees, taxes, and surcharges on each invoice.
2 "Network costs" shall not include radio circuits or toll
3 charges that are other than for 9-1-1 services.

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

13 "NG9-1-1 costs" means those recurring costs that directly
14 relate to the Next Generation 9-1-1 service as determined by
15 the Statewide 9-1-1 Advisory Board, including, but not limited
16 to, costs for Emergency System Routing Proxy (ESRP), Emergency
17 Call Routing Function/Location Validation Function (ECRF/LVF),
18 Spatial Information Function (SIF), the Border Control
19 Function (BCF), and the Emergency Services Internet Protocol
20 networks (ESInets), legacy network gateways, and all
21 associated fees, taxes, and surcharges on each invoice.

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

26 "Private business switch service" means network and

1 premises based systems including a VoIP, Centrex type service,
2 or PBX service, even though key telephone systems or equivalent
3 telephone systems registered with the Federal Communications
4 Commission under 47 C.F.R. Part 68 are directly connected to
5 Centrex type and PBX systems. "Private business switch service"
6 does not include key telephone systems or equivalent telephone
7 systems registered with the Federal Communications Commission
8 under 47 C.F.R. Part 68 when not used in conjunction with a
9 VoIP, Centrex type, or PBX systems. "Private business switch
10 service" typically includes, but is not limited to, private
11 businesses, corporations, and industries where the
12 telecommunications service is primarily for conducting
13 business.

14 "Private residential switch service" means network and
15 premise based systems including a VoIP, Centrex type service,
16 or PBX service or key telephone systems or equivalent telephone
17 systems registered with the Federal Communications Commission
18 under 47 C.F.R. Part 68 that are directly connected to a VoIP,
19 Centrex type service, or PBX systems equipped for switched
20 local network connections or 9-1-1 system access to residential
21 end users through a private telephone switch. "Private
22 residential switch service" does not include key telephone
23 systems or equivalent telephone systems registered with the
24 Federal Communications Commission under 47 C.F.R. Part 68 when
25 not used in conjunction with a VoIP, Centrex type, or PBX
26 systems. "Private residential switch service" typically

1 includes, but is not limited to, apartment complexes,
2 condominiums, and campus or university environments where
3 shared tenant service is provided and where the usage of the
4 telecommunications service is primarily residential.

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

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

17 "Public safety answering point" or "PSAP" is a set of
18 call-takers authorized by a governing body and operating under
19 common management that receive 9-1-1 calls and asynchronous
20 event notifications for a defined geographic area and processes
21 those calls and events according to a specified operational
22 policy.

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

26 "Referral method" means a 9-1-1 service in which the PSAP

1 telecommunicator provides the calling party with the telephone
2 number of the appropriate public safety agency or other
3 provider of emergency services.

4 "Regular service" means any telecommunications service,
5 other than advanced service, that is capable of transporting
6 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.

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

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

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

23 "Statewide wireless emergency 9-1-1 system" means all
24 areas of the State where an emergency telephone system board
25 or, in the absence of an emergency telephone system board, a
26 qualified governmental entity, has not declared its intention

1 for one or more of its public safety answering points to serve
2 as a primary wireless 9-1-1 public safety answering point for
3 its jurisdiction. The operator of the statewide wireless
4 emergency 9-1-1 system shall be the Department of State Police.

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

10 "System provider" means the contracted entity providing
11 9-1-1 network and database services.

12 "Telecommunications carrier" means those entities included
13 within the definition specified in Section 13-202 of the Public
14 Utilities Act, and includes those carriers acting as resellers
15 of telecommunications services. "Telecommunications carrier"
16 includes telephone systems operating as mutual concerns.
17 "Telecommunications carrier" does not include a wireless
18 carrier.

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

21 "Transfer method" means a 9-1-1 service in which the PSAP
22 telecommunicator receiving a call transfers that call to the
23 appropriate public safety agency or other provider of emergency
24 services.

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

1 "Trunk line" means a transmission path, or group of
2 transmission paths, connecting a subscriber's PBX to a
3 telecommunications carrier's public switched network. In the
4 case of regular service, each voice grade communications
5 channel or equivalent amount of bandwidth 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 trunk line, even if it is bundled with other
10 channels or additional bandwidth. In the case of advanced
11 service, each DS-1, T-1, or other un-channelized or
12 multi-channel transmission facility that is capable of
13 transporting either the subscriber's inter-premises voice
14 telecommunications services to the public switched network or
15 the subscriber's 9-1-1 calls to the public agency shall be
16 considered a single trunk line, even if it contains multiple
17 voice grade communications channels or otherwise supports 2 or
18 more voice grade calls at a time; provided, however, that each
19 additional increment of up to 24 voice grade channels of
20 transmission capacity that is capable of transporting either
21 the subscriber's inter-premises voice telecommunications
22 services to the public switched network or the subscriber's
23 9-1-1 calls to the public agency shall be considered an
24 additional trunk line.

25 "Unmanned backup PSAP" means a public safety answering
26 point that serves as an alternate to the PSAP at an alternate

1 location and is typically unmanned but can be activated if the
2 primary PSAP is disabled.

3 "Virtual answering point" or "VAP" means a temporary or
4 nonpermanent location that is capable of receiving an emergency
5 call, contains a fully functional worksite that is not bound to
6 a specific location, but rather is portable and scalable,
7 connecting emergency call takers or dispatchers to the work
8 process, and is capable of completing the call dispatching
9 process.

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

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

26 "Wireless enhanced 9-1-1" means the ability to relay the

1 telephone number of the originator of a 9-1-1 call and location
2 information from any mobile handset or text telephone device
3 accessing the wireless system to the designated wireless public
4 safety answering point as set forth in the order of the Federal
5 Communications Commission, FCC Docket No. 94-102, adopted June
6 12, 1996, with an effective date of October 1, 1996, and any
7 subsequent amendment thereto.

8 "Wireless public safety answering point" means the
9 functional division of a 9-1-1 authority accepting wireless
10 9-1-1 calls.

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

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

16 (50 ILCS 750/6.1) (from Ch. 134, par. 36.1)

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

18 Sec. 6.1. Every 9-1-1 system shall be readily accessible to
19 deaf, hard of hearing, DeafBlind, ~~hearing-impaired~~ and
20 voice-impaired individuals through the use of
21 telecommunications technology for deaf, hard of hearing,
22 DeafBlind, ~~hearing-impaired~~ and speech-impaired individuals.

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

24 Section 15. The School Code is amended by changing Sections

1 2-3.83 and 14-11.02 as follows:

2 (105 ILCS 5/2-3.83) (from Ch. 122, par. 2-3.83)

3 Sec. 2-3.83. Individual transition plan model pilot
4 program.

5 (a) The General Assembly finds that transition services for
6 special education students in secondary schools are needed for
7 the increasing numbers of students exiting school programs.
8 Therefore, to ensure coordinated and timely delivery of
9 services, the State shall establish a model pilot program to
10 provide such services. Local school districts, using joint
11 agreements and regional service delivery systems for special
12 and vocational education selected by the Governor's Planning
13 Council on Developmental Disabilities, shall have the primary
14 responsibility to convene transition planning meetings for
15 these students who will require post-school adult services.

16 (b) For purposes of this Section:

17 (1) "Post-secondary Service Provider" means a provider
18 of services for adults who have any developmental
19 disability as defined in Section 1-106 of the Mental Health
20 and Developmental Disabilities Code or who are persons with
21 one or more disabilities as defined in the Rehabilitation
22 of Persons with Disabilities Act.

23 (2) "Individual Education Plan" means a written
24 statement for an exceptional child that provides at least a
25 statement of: the child's present levels of educational

1 performance, annual goals and short-term instructional
2 objectives; specific special education and related
3 services; the extent of participation in the regular
4 education program; the projected dates for initiation of
5 services; anticipated duration of services; appropriate
6 objective criteria and evaluation procedures; and a
7 schedule for annual determination of short-term
8 objectives.

9 (3) "Individual Transition Plan" (ITP) means a
10 multi-agency informal assessment of a student's needs for
11 post-secondary adult services including but not limited to
12 employment, post-secondary education or training and
13 residential independent living.

14 (4) "Developmental Disability" means a disability
15 which is attributable to: (a) an intellectual disability,
16 cerebral palsy, epilepsy or autism; or to (b) any other
17 condition which results in impairment similar to that
18 caused by an intellectual disability and which requires
19 services similar to those required by persons with an
20 intellectual disability. Such disability must originate
21 before the age of 18 years, be expected to continue
22 indefinitely, and constitute a substantial disability.

23 (5) "Exceptional Characteristic" means any disabling
24 or exceptional characteristic which interferes with a
25 student's education including, but not limited to, a
26 determination that the student has a severe or profound

1 mental disability, has mental disability but is trainable,
2 is DeafBlind ~~deaf-blind~~, or has some other health
3 impairment.

4 (c) The model pilot program required by this Section shall
5 be established and administered by the Governor's Planning
6 Council on Developmental Disabilities in conjunction with the
7 case coordination pilot projects established by the Department
8 of Human Services pursuant to Section 4.1 of the Community
9 Services Act, as amended.

10 (d) The model pilot program shall include the following
11 features:

12 (1) Written notice shall be sent to the student and,
13 when appropriate, his or her parent or guardian giving the
14 opportunity to consent to having the student's name and
15 relevant information shared with the local case
16 coordination unit and other appropriate State or local
17 agencies for purposes of inviting participants to the
18 individual transition plan meeting.

19 (2) Meetings to develop and modify, as needed, an
20 Individual Transition Plan shall be conducted annually for
21 all students with a developmental disability in the pilot
22 program area who are age 16 or older and who are receiving
23 special education services for 50% or more of their public
24 school program. These meetings shall be convened by the
25 local school district and conducted in conjunction with any
26 other regularly scheduled meetings such as the student's

1 annual individual educational plan meeting. The Governor's
2 Planning Council on Developmental Disabilities shall
3 cooperate with and may enter into any necessary written
4 agreements with the Department of Human Services and the
5 State Board of Education to identify the target group of
6 students for transition planning and the appropriate case
7 coordination unit to serve these individuals.

8 (3) The ITP meetings shall be co-chaired by the
9 individual education plan coordinator and the case
10 coordinator. The ITP meeting shall include but not be
11 limited to discussion of the following: the student's
12 projected date of exit from the public schools; his
13 projected post-school goals in the areas of employment,
14 residential living arrangement and post-secondary
15 education or training; specific school or post-school
16 services needed during the following year to achieve the
17 student's goals, including but not limited to vocational
18 evaluation, vocational education, work experience or
19 vocational training, placement assistance, independent
20 living skills training, recreational or leisure training,
21 income support, medical needs and transportation; and
22 referrals and linkage to needed services, including a
23 proposed time frame for services and the responsible agency
24 or provider. The individual transition plan shall be signed
25 by participants in the ITP discussion, including but not
26 limited to the student's parents or guardian, the student

1 (where appropriate), multi-disciplinary team
2 representatives from the public schools, the case
3 coordinator and any other individuals who have
4 participated in the ITP meeting at the discretion of the
5 individual education plan coordinator, the developmental
6 disability case coordinator or the parents or guardian.

7 (4) At least 10 days prior to the ITP meeting, the
8 parents or guardian of the student shall be notified in
9 writing of the time and place of the meeting by the local
10 school district. The ITP discussion shall be documented by
11 the assigned case coordinator, and an individual student
12 file shall be maintained by each case coordination unit.
13 One year following a student's exit from public school the
14 case coordinator shall conduct a follow up interview with
15 the student.

16 (5) Determinations with respect to individual
17 transition plans made under this Section shall not be
18 subject to any due process requirements prescribed in
19 Section 14-8.02 of this Code.

20 (e) (Blank).

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

22 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

23 Sec. 14-11.02. Notwithstanding any other Sections of this
24 Article, the State Board of Education shall develop and operate
25 or contract for the operation of a service center for persons

1 who are DeafBlind ~~deaf-blind~~. For the purpose of this Section,
2 persons with DeafBlindness ~~deaf-blindness~~ are persons who have
3 both auditory and visual impairments, the combination of which
4 causes such severe communication and other developmental,
5 educational, vocational and rehabilitation problems that such
6 persons cannot be properly accommodated in special education or
7 vocational rehabilitation programs solely for persons with
8 both hearing and visual disabilities.

9 To be eligible for DeafBlind ~~deaf-blind~~ services, a person
10 must have (i) a visual impairment and an auditory impairment,
11 or (ii) a condition in which there is a progressive loss of
12 hearing or vision or both that results in concomitant vision
13 and hearing impairments and that adversely affects educational
14 performance as determined by the multidisciplinary conference.
15 For purposes of this paragraph and Section:

16 (A) A visual impairment is defined to mean one or more
17 of the following: (i) corrected visual acuity poorer than
18 20/70 in the better eye; (ii) restricted visual field of 20
19 degrees or less in the better eye; (iii) cortical
20 blindness; (iv) does not appear to respond to visual
21 stimulation, which adversely affects educational
22 performance as determined by the multidisciplinary
23 conference.

24 (B) An auditory impairment is defined to mean one or
25 more of the following: (i) a sensorineural or ongoing or
26 chronic conductive hearing loss with aided sensitivity of

1 30dB HL or poorer; (ii) functional auditory behavior that
2 is significantly discrepant from the person's present
3 cognitive and/or developmental levels, which adversely
4 affects educational performance as determined by the
5 multidisciplinary conference.

6 The State Board of Education is empowered to establish,
7 maintain and operate or contract for the operation of a
8 permanent state-wide service center known as the Philip J. Rock
9 Center and School. The School serves eligible children between
10 the ages of 3 and 21; the Center serves eligible persons of all
11 ages. Services provided by the Center include, but are not
12 limited to:

13 (1) Identifying and case management of persons who are
14 auditorily and visually impaired;

15 (2) Providing families with appropriate counseling;

16 (3) Referring persons who are DeafBlind ~~deaf-blind~~ to
17 appropriate agencies for medical and diagnostic services;

18 (4) Referring persons who are DeafBlind ~~deaf-blind~~ to
19 appropriate agencies for educational, training and care
20 services;

21 (5) Developing and expanding services throughout the
22 State to persons who are DeafBlind ~~deaf-blind~~. This will
23 include ancillary services, such as transportation so that
24 the individuals can take advantage of the expanded
25 services;

26 (6) Maintaining a residential-educational training

1 facility in the Chicago metropolitan area located in an
2 area accessible to public transportation;

3 (7) Receiving, dispensing, and monitoring State and
4 Federal funds to the School and Center designated for
5 services to persons who are DeafBlind ~~deaf-blind~~;

6 (8) Coordinating services to persons who are DeafBlind
7 ~~deaf-blind~~ through all appropriate agencies, including the
8 Department of Children and Family Services and the
9 Department of Human Services;

10 (9) Entering into contracts with other agencies to
11 provide services to persons who are DeafBlind ~~deaf-blind~~;

12 (10) Operating on a no-reject basis. Any individual
13 referred to the Center for service and diagnosed as
14 DeafBlind ~~deaf-blind~~, as defined in this Act, shall qualify
15 for available services;

16 (11) Serving as the referral clearinghouse for all
17 persons who are DeafBlind ~~deaf-blind~~, age 21 and older; and

18 (12) Providing transition services for students of
19 Philip J. Rock School who are DeafBlind ~~deaf-blind~~ and
20 between the ages of 14 1/2 and 21.

21 The Advisory Board for Services for Persons who are
22 DeafBlind ~~Deaf-Blind~~ shall provide advice to the State
23 Superintendent of Education, the Governor, and the General
24 Assembly on all matters pertaining to policy concerning persons
25 who are DeafBlind ~~deaf-blind~~, including the implementation of
26 legislation enacted on their behalf.

1 Regarding the maintenance, operation and education
2 functions of the Philip J. Rock Center and School, the Advisory
3 Board shall also make recommendations pertaining to but not
4 limited to the following matters:

5 (1) Existing and proposed programs of all State
6 agencies that provide services for persons who are
7 DeafBlind ~~deaf-blind~~;

8 (2) The State program and financial plan for DeafBlind
9 ~~deaf-blind~~ services and the system of priorities to be
10 developed by the State Board of Education;

11 (3) Standards for services in facilities serving
12 persons who are DeafBlind ~~deaf-blind~~;

13 (4) Standards and rates for State payments for any
14 services purchased for persons who are DeafBlind
15 ~~deaf-blind~~;

16 (5) Services and research activities in the field of
17 DeafBlindness ~~deaf-blindness~~, including evaluation of
18 services; and

19 (6) Planning for personnel/preparation, both
20 preservice and inservice.

21 The Advisory Board shall consist of 3 persons appointed by
22 the Governor; 2 persons appointed by the State Superintendent
23 of Education; 4 persons appointed by the Secretary of Human
24 Services; and 2 persons appointed by the Director of Children
25 and Family Services. The 3 appointments of the Governor shall
26 consist of a senior citizen 60 years of age or older, a

1 consumer who is DeafBlind ~~deaf-blind~~, and a parent of a person
2 who is DeafBlind ~~deaf-blind~~; provided that if any gubernatorial
3 appointee serving on the Advisory Board on the effective date
4 of this amendatory Act of 1991 is not either a senior citizen
5 60 years of age or older or a consumer who is DeafBlind
6 ~~deaf-blind~~ or a parent of a person who is DeafBlind ~~deaf-blind~~,
7 then whenever that appointee's term of office expires or a
8 vacancy in that appointee's office sooner occurs, the Governor
9 shall make the appointment to fill that office or vacancy in a
10 manner that will result, at the earliest possible time, in the
11 Governor's appointments to the Advisory Board being comprised
12 of one senior citizen 60 years of age or older, one consumer
13 who is DeafBlind ~~deaf-blind~~, and one parent of a person who is
14 DeafBlind ~~deaf-blind~~. One person designated by each agency
15 other than the Department of Human Services may be an employee
16 of that agency. Two persons appointed by the Secretary of Human
17 Services may be employees of the Department of Human Services.
18 The appointments of each appointing authority other than the
19 Governor shall include at least one parent of an individual who
20 is DeafBlind ~~deaf-blind~~ or a person who is DeafBlind
21 ~~deaf-blind~~.

22 Vacancies in terms shall be filled by the original
23 appointing authority. After the original terms, all terms shall
24 be for 3 years.

25 Except for those members of the Advisory Board who are
26 compensated for State service on a full-time basis, members

1 shall be reimbursed for all actual expenses incurred in the
2 performance of their duties. Each member who is not compensated
3 for State service on a full-time basis shall be compensated at
4 a rate of \$50 per day which he spends on Advisory Board duties.
5 The Advisory Board shall meet at least 4 times per year and not
6 more than 12 times per year.

7 The Advisory Board shall provide for its own organization.

8 Six members of the Advisory Board shall constitute a
9 quorum. The affirmative vote of a majority of all members of
10 the Advisory Board shall be necessary for any action taken by
11 the Advisory Board.

12 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;
13 89-507, eff. 7-1-97.)

14 Section 20. The Public Utilities Act is amended by changing
15 Section 13-213 as follows:

16 (220 ILCS 5/13-213) (from Ch. 111 2/3, par. 13-213)

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

18 Sec. 13-213. "Hearing-aid compatible telephone" means a
19 telephone so equipped that it can activate an inductive
20 coupling hearing-aid or which will provide an alternative
21 technology that provides equally effective telephone service
22 and which will provide equipment necessary for the deaf, hard
23 of hearing, and DeafBlind ~~hearing-impaired~~ to use generally
24 available telecommunications services effectively or without

1 assistance.

2 (Source: P.A. 100-20, eff. 7-1-17.)

3 Section 25. The Smoke Detector Act is amended by changing
4 Section 3 as follows:

5 (425 ILCS 60/3) (from Ch. 127 1/2, par. 803)

6 (Text of Section before amendment by P.A. 100-200)

7 Sec. 3. (a) Every dwelling unit or hotel shall be equipped
8 with at least one approved smoke detector in an operating
9 condition within 15 feet of every room used for sleeping
10 purposes. The detector shall be installed on the ceiling and at
11 least 6 inches from any wall, or on a wall located between 4
12 and 6 inches from the ceiling.

13 (b) Every single family residence shall have at least one
14 approved smoke detector installed on every story of the
15 dwelling unit, including basements but not including
16 unoccupied attics. In dwelling units with split levels, a smoke
17 detector installed on the upper level shall suffice for the
18 adjacent lower level if the lower level is less than one full
19 story below the upper level; however, if there is an
20 intervening door between the adjacent levels, a smoke detector
21 shall be installed on each level.

22 (c) Every structure which (1) contains more than one
23 dwelling unit, or (2) contains at least one dwelling unit and
24 is a mixed-use structure, shall contain at least one approved

1 smoke detector at the uppermost ceiling of each interior
2 stairwell. The detector shall be installed on the ceiling, at
3 least 6 inches from the wall, or on a wall located between 4
4 and 6 inches from the ceiling.

5 (d) It shall be the responsibility of the owner of a
6 structure to supply and install all required detectors. The
7 owner shall be responsible for making reasonable efforts to
8 test and maintain detectors in common stairwells and hallways.
9 It shall be the responsibility of a tenant to test and to
10 provide general maintenance for the detectors within the
11 tenant's dwelling unit or rooming unit, and to notify the owner
12 or the authorized agent of the owner in writing of any
13 deficiencies which the tenant cannot correct. The owner shall
14 be responsible for providing one tenant per dwelling unit with
15 written information regarding detector testing and
16 maintenance.

17 The tenant shall be responsible for replacement of any
18 required batteries in the smoke detectors in the tenant's
19 dwelling unit, except that the owner shall ensure that such
20 batteries are in operating condition at the time the tenant
21 takes possession of the dwelling unit. The tenant shall provide
22 the owner or the authorized agent of the owner with access to
23 the dwelling unit to correct any deficiencies in the smoke
24 detector which have been reported in writing to the owner or
25 the authorized agent of the owner.

26 (e) The requirements of this Section shall apply to any

1 dwelling unit in existence on July 1, 1988, beginning on that
2 date. Except as provided in subsections (f) and (g), the smoke
3 detectors required in such dwelling units may be either battery
4 powered or wired into the structure's AC power line, and need
5 not be interconnected.

6 (f) In the case of any dwelling unit that is newly
7 constructed, reconstructed, or substantially remodelled after
8 December 31, 1987, the requirements of this Section shall apply
9 beginning on the first day of occupancy of the dwelling unit
10 after such construction, reconstruction or substantial
11 remodelling. The smoke detectors required in such dwelling unit
12 shall be permanently wired into the structure's AC power line,
13 and if more than one detector is required to be installed
14 within the dwelling unit, the detectors shall be wired so that
15 the actuation of one detector will actuate all the detectors in
16 the dwelling unit.

17 In the case of any dwelling unit that is newly constructed,
18 reconstructed, or substantially remodeled on or after January
19 1, 2011, smoke detectors permanently wired into the structure's
20 AC power line must also maintain an alternative back-up power
21 source, which may be either a battery or batteries or an
22 emergency generator.

23 (g) Every hotel shall be equipped with operational portable
24 smoke-detecting alarm devices for the deaf, hard of hearing,
25 and DeafBlind ~~and hearing impaired~~ of audible and visual
26 design, available for units of occupancy.

1 Specialized smoke-detectors for the deaf, hard of hearing,
2 and DeafBlind ~~and hearing impaired~~ shall be available upon
3 request by guests in such hotels at a rate of at least one such
4 smoke detector per 75 occupancy units or portions thereof, not
5 to exceed 5 such smoke detectors per hotel. Incorporation or
6 connection into an existing interior alarm system, so as to be
7 capable of being activated by the system, may be utilized in
8 lieu of the portable alarms.

9 Operators of any hotel shall post conspicuously at the main
10 desk a permanent notice, in letters at least 3 inches in
11 height, stating that smoke detector alarm devices for the deaf,
12 hard of hearing, and DeafBlind ~~and hearing impaired~~ are
13 available. The proprietor may require a refundable deposit for
14 a portable smoke detector not to exceed the cost of the
15 detector.

16 (g-5) A hotel, as defined in this Act, shall be responsible
17 for installing and maintaining smoke detecting equipment.

18 (h) Compliance with an applicable federal, State or local
19 law or building code which requires the installation and
20 maintenance of smoke detectors in a manner different from this
21 Section, but providing a level of safety for occupants which is
22 equal to or greater than that provided by this Section, shall
23 be deemed to be in compliance with this Section, and the
24 requirements of such more stringent law shall govern over the
25 requirements of this Section.

26 (Source: P.A. 96-1292, eff. 1-1-11; 97-447, eff. 1-1-12.)

1 (Text of Section after amendment by P.A. 100-200)

2 Sec. 3. (a) Every dwelling unit or hotel shall be equipped
3 with at least one approved smoke detector in an operating
4 condition within 15 feet of every room used for sleeping
5 purposes. The detector shall be installed on the ceiling and at
6 least 6 inches from any wall, or on a wall located between 4
7 and 6 inches from the ceiling.

8 (b) Every single family residence shall have at least one
9 approved smoke detector installed on every story of the
10 dwelling unit, including basements but not including
11 unoccupied attics. In dwelling units with split levels, a smoke
12 detector installed on the upper level shall suffice for the
13 adjacent lower level if the lower level is less than one full
14 story below the upper level; however, if there is an
15 intervening door between the adjacent levels, a smoke detector
16 shall be installed on each level.

17 (c) Every structure which (1) contains more than one
18 dwelling unit, or (2) contains at least one dwelling unit and
19 is a mixed-use structure, shall contain at least one approved
20 smoke detector at the uppermost ceiling of each interior
21 stairwell. The detector shall be installed on the ceiling, at
22 least 6 inches from the wall, or on a wall located between 4
23 and 6 inches from the ceiling.

24 (d) It shall be the responsibility of the owner of a
25 structure to supply and install all required detectors. The

1 owner shall be responsible for making reasonable efforts to
2 test and maintain detectors in common stairwells and hallways.
3 It shall be the responsibility of a tenant to test and to
4 provide general maintenance for the detectors within the
5 tenant's dwelling unit or rooming unit, and to notify the owner
6 or the authorized agent of the owner in writing of any
7 deficiencies which the tenant cannot correct. The owner shall
8 be responsible for providing one tenant per dwelling unit with
9 written information regarding detector testing and
10 maintenance.

11 The tenant shall be responsible for replacement of any
12 required batteries in the smoke detectors in the tenant's
13 dwelling unit, except that the owner shall ensure that such
14 batteries are in operating condition at the time the tenant
15 takes possession of the dwelling unit. The tenant shall provide
16 the owner or the authorized agent of the owner with access to
17 the dwelling unit to correct any deficiencies in the smoke
18 detector which have been reported in writing to the owner or
19 the authorized agent of the owner.

20 (e) The requirements of this Section shall apply to any
21 dwelling unit in existence on July 1, 1988, beginning on that
22 date. Except as provided in subsections (f) and (g), the smoke
23 detectors required in such dwelling units may be either:
24 battery powered provided the battery is a self-contained,
25 non-removable, long term battery, or wired into the structure's
26 AC power line, and need not be interconnected.

1 (1) The battery requirements of this Section shall
2 apply to battery powered smoke detectors that: (A) are in
3 existence and exceed 10 years from the date of their being
4 manufactured; (B) fails to respond to operability tests or
5 otherwise malfunctions; or (C) are newly installed.

6 (2) The battery requirements of this Section do not
7 apply to: (A) a fire alarm, smoke detector, smoke alarm, or
8 ancillary component that is electronically connected as a
9 part of a centrally monitored or supervised alarm system;
10 (B) a fire alarm, smoke detector, smoke alarm, or ancillary
11 component that uses: (i) a low-power radio frequency
12 wireless communication signal, or (ii) Wi-Fi or other
13 wireless Local Area Networking capability to send and
14 receive notifications to and from the Internet, such as
15 early low battery warnings before the device reaches a
16 critical low power level; or (C) such other devices as the
17 State Fire Marshal shall designate through its regulatory
18 process.

19 (f) In the case of any dwelling unit that is newly
20 constructed, reconstructed, or substantially remodelled after
21 December 31, 1987, the requirements of this Section shall apply
22 beginning on the first day of occupancy of the dwelling unit
23 after such construction, reconstruction or substantial
24 remodelling. The smoke detectors required in such dwelling unit
25 shall be permanently wired into the structure's AC power line,
26 and if more than one detector is required to be installed

1 within the dwelling unit, the detectors shall be wired so that
2 the actuation of one detector will actuate all the detectors in
3 the dwelling unit.

4 In the case of any dwelling unit that is newly constructed,
5 reconstructed, or substantially remodeled on or after January
6 1, 2011, smoke detectors permanently wired into the structure's
7 AC power line must also maintain an alternative back-up power
8 source, which may be either a battery or batteries or an
9 emergency generator.

10 (g) Every hotel shall be equipped with operational portable
11 smoke-detecting alarm devices for the deaf, hard of hearing,
12 and DeafBlind ~~and hearing impaired~~ of audible and visual
13 design, available for units of occupancy.

14 Specialized smoke-detectors for the deaf, hard of hearing,
15 and DeafBlind ~~and hearing impaired~~ shall be available upon
16 request by guests in such hotels at a rate of at least one such
17 smoke detector per 75 occupancy units or portions thereof, not
18 to exceed 5 such smoke detectors per hotel. Incorporation or
19 connection into an existing interior alarm system, so as to be
20 capable of being activated by the system, may be utilized in
21 lieu of the portable alarms.

22 Operators of any hotel shall post conspicuously at the main
23 desk a permanent notice, in letters at least 3 inches in
24 height, stating that smoke detector alarm devices for the deaf,
25 hard of hearing, and DeafBlind ~~and hearing impaired~~ are
26 available. The proprietor may require a refundable deposit for

1 a portable smoke detector not to exceed the cost of the
2 detector.

3 (g-5) A hotel, as defined in this Act, shall be responsible
4 for installing and maintaining smoke detecting equipment.

5 (h) Compliance with an applicable federal, State or local
6 law or building code which requires the installation and
7 maintenance of smoke detectors in a manner different from this
8 Section, but providing a level of safety for occupants which is
9 equal to or greater than that provided by this Section, shall
10 be deemed to be in compliance with this Section, and the
11 requirements of such more stringent law shall govern over the
12 requirements of this Section.

13 (i) The requirements of this Section shall not apply to
14 dwelling units and hotels within municipalities with a
15 population over 1,000,000 inhabitants.

16 (Source: P.A. 100-200, eff. 1-1-23.)

17 Section 30. The Animal Control Act is amended by changing
18 Sections 15 and 15.1 as follows:

19 (510 ILCS 5/15) (from Ch. 8, par. 365)

20 Sec. 15. (a) In order to have a dog deemed "vicious", the
21 Administrator, Deputy Administrator, or law enforcement
22 officer must give notice of the infraction that is the basis of
23 the investigation to the owner, conduct a thorough
24 investigation, interview any witnesses, including the owner,

1 gather any existing medical records, veterinary medical
2 records or behavioral evidence, and make a detailed report
3 recommending a finding that the dog is a vicious dog and give
4 the report to the State's Attorney's Office and the owner. The
5 Administrator, State's Attorney, Director or any citizen of the
6 county in which the dog exists may file a complaint in the
7 circuit court in the name of the People of the State of
8 Illinois to deem a dog to be a vicious dog. Testimony of a
9 certified applied behaviorist, a board certified veterinary
10 behaviorist, or another recognized expert may be relevant to
11 the court's determination of whether the dog's behavior was
12 justified. The petitioner must prove the dog is a vicious dog
13 by clear and convincing evidence. The Administrator shall
14 determine where the animal shall be confined during the
15 pendency of the case.

16 A dog may not be declared vicious if the court determines
17 the conduct of the dog was justified because:

18 (1) the threat, injury, or death was sustained by a
19 person who at the time was committing a crime or offense
20 upon the owner or custodian of the dog, or was committing a
21 willful trespass or other tort upon the premises or
22 property owned or occupied by the owner of the animal;

23 (2) the injured, threatened, or killed person was
24 abusing, assaulting, or physically threatening the dog or
25 its offspring, or has in the past abused, assaulted, or
26 physically threatened the dog or its offspring; or

1 (3) the dog was responding to pain or injury, or was
2 protecting itself, its owner, custodian, or member of its
3 household, kennel, or offspring.

4 No dog shall be deemed "vicious" if it is a professionally
5 trained dog for law enforcement or guard duties. Vicious dogs
6 shall not be classified in a manner that is specific as to
7 breed.

8 If the burden of proof has been met, the court shall deem
9 the dog to be a vicious dog.

10 If a dog is found to be a vicious dog, the owner shall pay a
11 \$100 public safety fine to be deposited into the county animal
12 control fund, the dog shall be spayed or neutered within 10
13 days of the finding at the expense of its owner and
14 microchipped, if not already, and the dog is subject to
15 enclosure. If an owner fails to comply with these requirements,
16 the animal control agency shall impound the dog and the owner
17 shall pay a \$500 fine plus impoundment fees to the animal
18 control agency impounding the dog. The judge has the discretion
19 to order a vicious dog be euthanized. A dog found to be a
20 vicious dog shall not be released to the owner until the
21 Administrator, an Animal Control Warden, or the Director
22 approves the enclosure. No owner or keeper of a vicious dog
23 shall sell or give away the dog without approval from the
24 Administrator or court. Whenever an owner of a vicious dog
25 relocates, he or she shall notify both the Administrator of
26 County Animal Control where he or she has relocated and the

1 Administrator of County Animal Control where he or she formerly
2 resided.

3 (b) It shall be unlawful for any person to keep or maintain
4 any dog which has been found to be a vicious dog unless the dog
5 is kept in an enclosure. The only times that a vicious dog may
6 be allowed out of the enclosure are (1) if it is necessary for
7 the owner or keeper to obtain veterinary care for the dog, (2)
8 in the case of an emergency or natural disaster where the dog's
9 life is threatened, or (3) to comply with the order of a court
10 of competent jurisdiction, provided that the dog is securely
11 muzzled and restrained with a leash not exceeding 6 feet in
12 length, and shall be under the direct control and supervision
13 of the owner or keeper of the dog or muzzled in its residence.

14 Any dog which has been found to be a vicious dog and which
15 is not confined to an enclosure shall be impounded by the
16 Administrator, an Animal Control Warden, or the law enforcement
17 authority having jurisdiction in such area.

18 If the owner of the dog has not appealed the impoundment
19 order to the circuit court in the county in which the animal
20 was impounded within 15 working days, the dog may be
21 euthanized.

22 Upon filing a notice of appeal, the order of euthanasia
23 shall be automatically stayed pending the outcome of the
24 appeal. The owner shall bear the burden of timely notification
25 to animal control in writing.

26 Guide dogs for the blind, deaf, hard of hearing, or

1 DeafBlind ~~or hearing impaired~~, support dogs for persons with
2 physical disabilities, accelerant detection dogs, and sentry,
3 guard, or police-owned dogs are exempt from this Section;
4 provided, an attack or injury to a person occurs while the dog
5 is performing duties as expected. To qualify for exemption
6 under this Section, each such dog shall be currently inoculated
7 against rabies in accordance with Section 8 of this Act. It
8 shall be the duty of the owner of such exempted dog to notify
9 the Administrator of changes of address. In the case of a
10 sentry or guard dog, the owner shall keep the Administrator
11 advised of the location where such dog will be stationed. The
12 Administrator shall provide police and fire departments with a
13 categorized list of such exempted dogs, and shall promptly
14 notify such departments of any address changes reported to him.

15 (c) If the animal control agency has custody of the dog,
16 the agency may file a petition with the court requesting that
17 the owner be ordered to post security. The security must be in
18 an amount sufficient to secure payment of all reasonable
19 expenses expected to be incurred by the animal control agency
20 or animal shelter in caring for and providing for the dog
21 pending the determination. Reasonable expenses include, but
22 are not limited to, estimated medical care and boarding of the
23 animal for 30 days. If security has been posted in accordance
24 with this Section, the animal control agency may draw from the
25 security the actual costs incurred by the agency in caring for
26 the dog.

1 (d) Upon receipt of a petition, the court must set a
2 hearing on the petition, to be conducted within 5 business days
3 after the petition is filed. The petitioner must serve a true
4 copy of the petition upon the defendant.

5 (e) If the court orders the posting of security, the
6 security must be posted with the clerk of the court within 5
7 business days after the hearing. If the person ordered to post
8 security does not do so, the dog is forfeited by operation of
9 law and the animal control agency must dispose of the animal
10 through adoption or humane euthanization.

11 (Source: P.A. 99-143, eff. 7-27-15; 99-642, eff. 7-28-16;
12 100-787, eff. 8-10-18.)

13 (510 ILCS 5/15.1)

14 Sec. 15.1. Dangerous dog determination.

15 (a) After a thorough investigation including: sending,
16 within 10 business days of the Administrator or Director
17 becoming aware of the alleged infraction, notifications to the
18 owner of the alleged infractions, the fact of the initiation of
19 an investigation, and affording the owner an opportunity to
20 meet with the Administrator or Director prior to the making of
21 a determination; gathering of any medical or veterinary
22 evidence; interviewing witnesses; and making a detailed
23 written report, an animal control warden, deputy
24 administrator, or law enforcement agent may ask the
25 Administrator, or his or her designee, or the Director, to deem

1 a dog to be "dangerous". No dog shall be deemed a "dangerous
2 dog" unless shown to be a dangerous dog by a preponderance of
3 evidence. The owner shall be sent immediate notification of the
4 determination by registered or certified mail that includes a
5 complete description of the appeal process.

6 (b) A dog shall not be declared dangerous if the
7 Administrator, or his or her designee, or the Director
8 determines the conduct of the dog was justified because:

9 (1) the threat was sustained by a person who at the
10 time was committing a crime or offense upon the owner or
11 custodian of the dog or was committing a willful trespass
12 or other tort upon the premises or property occupied by the
13 owner of the animal;

14 (2) the threatened person was abusing, assaulting, or
15 physically threatening the dog or its offspring;

16 (3) the injured, threatened, or killed companion
17 animal was attacking or threatening to attack the dog or
18 its offspring; or

19 (4) the dog was responding to pain or injury or was
20 protecting itself, its owner, custodian, or a member of its
21 household, kennel, or offspring.

22 (c) Testimony of a certified applied behaviorist, a board
23 certified veterinary behaviorist, or another recognized expert
24 may be relevant to the determination of whether the dog's
25 behavior was justified pursuant to the provisions of this
26 Section.

1 (d) If deemed dangerous, the Administrator, or his or her
2 designee, or the Director shall order (i) the dog's owner to
3 pay a \$50 public safety fine to be deposited into the county
4 animal control fund, (ii) the dog to be spayed or neutered
5 within 14 days at the owner's expense and microchipped, if not
6 already, and (iii) one or more of the following as deemed
7 appropriate under the circumstances and necessary for the
8 protection of the public:

9 (1) evaluation of the dog by a certified applied
10 behaviorist, a board certified veterinary behaviorist, or
11 another recognized expert in the field and completion of
12 training or other treatment as deemed appropriate by the
13 expert. The owner of the dog shall be responsible for all
14 costs associated with evaluations and training ordered
15 under this subsection; or

16 (2) direct supervision by an adult 18 years of age or
17 older whenever the animal is on public premises.

18 (e) The Administrator may order a dangerous dog to be
19 muzzled whenever it is on public premises in a manner that will
20 prevent it from biting any person or animal, but that shall not
21 injure the dog or interfere with its vision or respiration.

22 (f) Guide dogs for the blind, deaf, hard of hearing, or
23 DeafBlind ~~or hearing impaired~~, support dogs for persons with a
24 physical disability, and sentry, guard, or police-owned dogs
25 are exempt from this Section; provided, an attack or injury to
26 a person occurs while the dog is performing duties as expected.

1 To qualify for exemption under this Section, each such dog
2 shall be currently inoculated against rabies in accordance with
3 Section 8 of this Act and performing duties as expected. It
4 shall be the duty of the owner of the exempted dog to notify
5 the Administrator of changes of address. In the case of a
6 sentry or guard dog, the owner shall keep the Administrator
7 advised of the location where such dog will be stationed. The
8 Administrator shall provide police and fire departments with a
9 categorized list of the exempted dogs, and shall promptly
10 notify the departments of any address changes reported to him
11 or her.

12 (g) An animal control agency has the right to impound a
13 dangerous dog if the owner fails to comply with the
14 requirements of this Act.

15 (Source: P.A. 99-143, eff. 7-27-15; 100-787, eff. 8-10-18.)

16 Section 35. The Humane Care for Animals Act is amended by
17 changing Section 7.15 as follows:

18 (510 ILCS 70/7.15)

19 Sec. 7.15. Guide, hearing, and support dogs.

20 (a) A person may not willfully and maliciously annoy,
21 taunt, tease, harass, torment, beat, or strike a guide,
22 hearing, or support dog or otherwise engage in any conduct
23 directed toward a guide, hearing, or support dog that is likely
24 to impede or interfere with the dog's performance of its duties

1 or that places the blind, deaf, hard of hearing, DeafBlind,
2 ~~hearing impaired,~~ or person with a physical disability being
3 served or assisted by the dog in danger of injury.

4 (b) A person may not willfully and maliciously torture,
5 injure, or kill a guide, hearing, or support dog.

6 (c) A person may not willfully and maliciously permit a dog
7 that is owned, harbored, or controlled by the person to cause
8 injury to or the death of a guide, hearing, or support dog
9 while the guide, hearing, or support dog is in discharge of its
10 duties.

11 (d) A person convicted of violating this Section is guilty
12 of a Class A misdemeanor. A second or subsequent violation is a
13 Class 4 felony. A person convicted of violating subsection (b)
14 or (c) of this Section is guilty of a Class 4 felony if the dog
15 is killed or totally disabled, and may be ordered by the court
16 to make restitution to the person with a disability having
17 custody or ownership of the dog for veterinary bills and
18 replacement costs of the dog.

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

20 Section 40. The Illinois Human Rights Act is amended by
21 changing Section 8-102 as follows:

22 (775 ILCS 5/8-102) (from Ch. 68, par. 8-102)

23 Sec. 8-102. Powers and duties. In addition to the other
24 powers and duties prescribed in this Act, the Commission shall

1 have the following powers and duties:

2 (A) Meetings. To meet and function at any place within
3 the State.

4 (B) Offices. To establish and maintain offices in
5 Springfield and Chicago.

6 (C) Employees. To select and fix the compensation of
7 such technical advisors and employees as it may deem
8 necessary pursuant to the provisions of the ~~"The~~ Personnel
9 Code~~".~~

10 (D) Hearing Officers. To select and fix the
11 compensation of hearing officers who shall be attorneys
12 duly licensed to practice law in this State and full-time
13 ~~full-time~~ employees of the Commission.

14 A formal and unbiased training program for hearing
15 officers shall be implemented. The training program shall
16 include the following:

17 (1) substantive and procedural aspects of the
18 hearing officer position;

19 (2) current issues in human rights law and
20 practice;

21 (3) lectures by specialists in substantive areas
22 related to human rights matters;

23 (4) orientation to each operational unit of the
24 Department and Commission;

25 (5) observation of experienced hearing officers
26 conducting hearings of cases, combined with the

1 opportunity to discuss evidence presented and rulings
2 made;

3 (6) the use of hypothetical cases requiring the
4 hearing officer to issue judgments as a means to
5 evaluating knowledge and writing ability;

6 (7) writing skills;

7 (8) computer skills, including l but not limited
8 to l word processing and document management.

9 A formal, unbiased and ongoing professional
10 development program including, but not limited to, the
11 above-noted areas shall be implemented to keep hearing
12 officers informed of recent developments and issues and to
13 assist them in maintaining and enhancing their
14 professional competence.

15 (E) Rules and Regulations. To adopt, promulgate,
16 amend, and rescind rules and regulations not inconsistent
17 with the provisions of this Act pursuant to the Illinois
18 Administrative Procedure Act.

19 (F) Compulsory Process. To issue and authorize
20 requests for enforcement of subpoenas and other compulsory
21 process established by this Act.

22 (G) Decisions. Through a panel of 3 ~~three~~ members
23 designated by the Chairperson on a random basis, to hear
24 and decide by majority vote complaints filed in conformity
25 with this Act and to approve proposed settlements.
26 Decisions by commissioners must be based strictly on

1 neutral interpretations of the law and the facts.

2 (H) Rehearings. To order, by a vote of 3 members,
3 rehearing of its decisions by the entire Commission in
4 conformity with this Act.

5 (I) Judicial Enforcement. To authorize requests for
6 judicial enforcement of its orders in conformity with this
7 Act.

8 (J) Opinions. To publish each decision within 180 days
9 of the decision to assure a consistent source of precedent.
10 Published decisions shall be subject to the Personal
11 Information Protection Act.

12 (K) Public Grants; Private Gifts. To accept public
13 grants and private gifts as may be authorized.

14 (L) Interpreters. To appoint at the expense of the
15 Commission a qualified sign language interpreter whenever
16 a deaf, hard of hearing, or DeafBlind ~~hearing-impaired~~
17 person is a party or witness at a public hearing.

18 (M) Automated Processing Plan. To prepare an
19 electronic data processing and telecommunications plan
20 jointly with the Department in accordance with Section
21 7-112.

22 ~~(N)~~ The provisions of Public Act 89-370 ~~this amendatory Act~~
23 ~~of 1995~~ amending subsection (G) of this Section apply to causes
24 of action filed on or after January 1, 1996.

25 (Source: P.A. 100-1066, eff. 8-24-18; revised 10-4-18.)

1 Section 45. The White Cane Law is amended by changing
2 Section 3 as follows:

3 (775 ILCS 30/3) (from Ch. 23, par. 3363)

4 Sec. 3. The blind, persons who have a visual disability,
5 the deaf, hard of hearing, and DeafBlind ~~hearing-impaired,~~
6 persons who are subject to epilepsy or other seizure disorders,
7 and persons who have other physical disabilities have the same
8 right as the able-bodied to the full and free use of the
9 streets, highways, sidewalks, walkways, public buildings,
10 public facilities and other public places.

11 The blind, persons who have a visual disability, the deaf,
12 hard of hearing, and DeafBlind ~~hearing-impaired,~~ persons who
13 are subject to epilepsy or other seizure disorders, and persons
14 who have other physical disabilities are entitled to full and
15 equal accommodations, advantages, facilities and privileges of
16 all common carriers, airplanes, motor vehicles, railroad
17 trains, motor buses, street cars, boats or any other public
18 conveyances or modes of transportation, hotels, lodging
19 places, places of public accommodation, amusement or resort and
20 other places to which the general public is invited, subject
21 only to the conditions and limitations established by law and
22 applicable alike to all persons.

23 Every totally or partially blind, deaf, hard of hearing, or
24 DeafBlind ~~or hearing-impaired~~ person, person who is subject to
25 epilepsy or other seizure disorders, or person who has any

1 other physical disability or a trainer of support dogs, guide
2 dogs, seizure-alert dogs, seizure-response dogs, or hearing
3 dogs shall have the right to be accompanied by a support dog or
4 guide dog especially trained for the purpose, or a dog that is
5 being trained to be a support dog, guide dog, seizure-alert
6 dog, seizure-response dog, or hearing dog, in any of the places
7 listed in this Section without being required to pay an extra
8 charge for the guide, support, seizure-alert,
9 seizure-response, or hearing dog; provided that he shall be
10 liable for any damage done to the premises or facilities by
11 such dog.

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

13 Section 95. No acceleration or delay. Where this Act makes
14 changes in a statute that is represented in this Act by text
15 that is not yet or no longer in effect (for example, a Section
16 represented by multiple versions), the use of that text does
17 not accelerate or delay the taking effect of (i) the changes
18 made by this Act or (ii) provisions derived from any other
19 Public Act.

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