

1 AN ACT concerning State government.

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

4 Section 1. Nature of this Act.

5 (a) This Act may be cited as the Second 2021 General  
6 Revisory Act.

7 (b) This Act is not intended to make any substantive  
8 change in the law. It reconciles conflicts that have arisen  
9 from multiple amendments and enactments and makes technical  
10 corrections and revisions in the law.

11 This Act revises and, where appropriate, renumbers certain  
12 Sections that have been added or amended by more than one  
13 Public Act. In certain cases in which a repealed Act or Section  
14 has been replaced with a successor law, this Act may  
15 incorporate amendments to the repealed Act or Section into the  
16 successor law. This Act also corrects errors, revises  
17 cross-references, and deletes obsolete text.

18 (c) In this Act, the reference at the end of each amended  
19 Section indicates the sources in the Session Laws of Illinois  
20 that were used in the preparation of the text of that Section.  
21 The text of the Section included in this Act is intended to  
22 include the different versions of the Section found in the  
23 Public Acts included in the list of sources, but may not  
24 include other versions of the Section to be found in Public

1 Acts not included in the list of sources. The list of sources  
2 is not a part of the text of the Section.

3 (d) Public Acts 101-652 through 102-98 were considered in  
4 the preparation of the combining revisories included in this  
5 Act. Many of those combining revisories contain no striking or  
6 underscoring because no additional changes are being made in  
7 the material that is being combined.

8 (5 ILCS 80/4.32 rep.)

9 Section 5. The Regulatory Sunset Act is amended by  
10 repealing Section 4.32.

11 Section 7. The Election Code is amended by changing  
12 Sections 2A-1.1, 7-4, 7-10, 7-12, 10-4, and 19-2 as follows:

13 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

14 Sec. 2A-1.1. All elections; consolidated elections  
15 ~~consolidated~~ schedule.

16 (a) Except as otherwise provided in this Code, in  
17 even-numbered years, the general election shall be held on the  
18 first Tuesday after the first Monday of November; and an  
19 election to be known as the general primary election shall be  
20 held on the third Tuesday in March.†

21 (b) In odd-numbered years, an election to be known as the  
22 consolidated election shall be held on the first Tuesday in  
23 April except as provided in Section 2A-1.1a of this Code Act;

1 and an election to be known as the consolidated primary  
2 election shall be held on the last Tuesday in February.

3 (Source: P.A. 102-15, eff. 6-17-21; revised 7-14-21.)

4 (10 ILCS 5/7-4) (from Ch. 46, par. 7-4)

5 Sec. 7-4. The following words and phrases in this Article  
6 7 shall, unless the same be inconsistent with the context, be  
7 construed as follows:

8 1. The word "primary", the primary elections provided for  
9 in this Article, which are the general primary, the  
10 consolidated primary, and for those municipalities which have  
11 annual partisan elections for any officer, the municipal  
12 primary held 6 weeks prior to the general primary election  
13 date in even numbered years.

14 2. The definitions ~~definition~~ of terms in Section 1-3 of  
15 this Code Act shall apply to this Article.

16 3. The word "precinct", a voting district heretofore or  
17 hereafter established by law within which all qualified  
18 electors vote at one polling place.

19 4. The words "state office" or "state officer", an office  
20 to be filled, or an officer to be voted for, by qualified  
21 electors of the entire state, including United States Senator  
22 and Congressperson at large.

23 5. The words "congressional office" or "congressional  
24 officer", representatives in Congress.

25 6. The words "county office" or "county officer," include

1 an office to be filled or an officer to be voted for, by the  
2 qualified electors of the entire county. "County office" or  
3 "county officer" also include the assessor and board of  
4 appeals and county commissioners and president of county board  
5 of Cook County, and county board members and the chair of the  
6 county board in counties subject to Division 2-3 of the  
7 Counties Code ~~"An Act relating to the composition and election~~  
8 ~~of county boards in certain counties", enacted by the 76th~~  
9 ~~General Assembly.~~

10 7. The words "city office" and "village office," and  
11 "incorporated town office" or "city officer" and "village  
12 officer", and "incorporated town officer", an office to be  
13 filled or an officer to be voted for by the qualified electors  
14 of the entire municipality, including alderpersons.

15 8. The words "town office" or "town officer", an office to  
16 be filled or an officer to be voted for by the qualified  
17 electors of an entire town.

18 9. The words "town" and "incorporated town" shall  
19 respectively be defined as in Section 1-3 of this Code Act.

20 10. The words "delegates and alternate delegates to  
21 National nominating conventions" include all delegates and  
22 alternate delegates to National nominating conventions whether  
23 they be elected from the state at large or from congressional  
24 districts or selected by State convention unless contrary and  
25 non-inclusive language specifically limits the term to one  
26 class.

1           11. "Judicial office" means a post held by a judge of the  
 2 Supreme, Appellate, or Circuit Court.

3           (Source: P.A. 102-15, eff. 6-17-21; revised 7-14-21.)

4           (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

5           Sec. 7-10. Form of petition for nomination. The name of no  
 6 candidate for nomination, or State central committeeperson, or  
 7 township committeeperson, or precinct committeeperson, or ward  
 8 committeeperson or candidate for delegate or alternate  
 9 delegate to national nominating conventions, shall be printed  
 10 upon the primary ballot unless a petition for nomination has  
 11 been filed in his behalf as provided in this Article in  
 12 substantially the following form:

13           We, the undersigned, members of and affiliated with the  
 14 .... party and qualified primary electors of the .... party,  
 15 in the .... of ....., in the county of .... and State of  
 16 Illinois, do hereby petition that the following named person  
 17 or persons shall be a candidate or candidates of the .... party  
 18 for the nomination for (or in case of committeepersons for  
 19 election to) the office or offices hereinafter specified, to  
 20 be voted for at the primary election to be held on (insert  
 21 date).

22	Name	Office	Address
23	John Jones	Governor	Belvidere, Ill.
24	Jane James	Lieutenant Governor	Peoria, Ill.
25	Thomas Smith	Attorney General	Oakland, Ill.

1 Name..... Address.....

2 State of Illinois)

3 ) ss.

4 County of.....)

5 I, ....., do hereby certify that I reside at No. ....  
6 street, in the .... of ....., county of ....., and State of  
7 ....., that I am 18 years of age or older, that I am a citizen  
8 of the United States, and that the signatures on this sheet  
9 were signed in my presence, and are genuine, and that to the  
10 best of my knowledge and belief the persons so signing were at  
11 the time of signing the petitions qualified voters of the ....  
12 party, and that their respective residences are correctly  
13 stated, as above set forth.

14 .....

15 Subscribed and sworn to before me on (insert date).

16 .....

17 Each sheet of the petition other than the statement of  
18 candidacy and candidate's statement shall be of uniform size  
19 and shall contain above the space for signatures an  
20 appropriate heading giving the information as to name of  
21 candidate or candidates, in whose behalf such petition is  
22 signed; the office, the political party represented and place  
23 of residence; and the heading of each sheet shall be the same.

1           Such petition shall be signed by qualified primary  
2 electors residing in the political division for which the  
3 nomination is sought in their own proper persons only and  
4 opposite the signature of each signer, his residence address  
5 shall be written or printed. The residence address required to  
6 be written or printed opposite each qualified primary  
7 elector's name shall include the street address or rural route  
8 number of the signer, as the case may be, as well as the  
9 signer's county, and city, village or town, and state.  
10 However, the county or city, village or town, and state of  
11 residence of the electors may be printed on the petition forms  
12 where all of the electors signing the petition reside in the  
13 same county or city, village or town, and state. Standard  
14 abbreviations may be used in writing the residence address,  
15 including street number, if any. At the bottom of each sheet of  
16 such petition shall be added a circulator statement signed by  
17 a person 18 years of age or older who is a citizen of the  
18 United States, stating the street address or rural route  
19 number, as the case may be, as well as the county, city,  
20 village or town, and state; and certifying that the signatures  
21 on that sheet of the petition were signed in his or her  
22 presence and certifying that the signatures are genuine; and  
23 either (1) indicating the dates on which that sheet was  
24 circulated, or (2) indicating the first and last dates on  
25 which the sheet was circulated, or (3) certifying that none of  
26 the signatures on the sheet were signed more than 90 days

1 preceding the last day for the filing of the petition and  
2 certifying that to the best of his or her knowledge and belief  
3 the persons so signing were at the time of signing the  
4 petitions qualified voters of the political party for which a  
5 nomination is sought. Such statement shall be sworn to before  
6 some officer authorized to administer oaths in this State.

7 Except as otherwise provided in this Code, no petition  
8 sheet shall be circulated more than 90 days preceding the last  
9 day provided in Section 7-12 for the filing of such petition.

10 The person circulating the petition, or the candidate on  
11 whose behalf the petition is circulated, may strike any  
12 signature from the petition, provided that:

13 (1) the person striking the signature shall initial  
14 the petition at the place where the signature is struck;  
15 and

16 (2) the person striking the signature shall sign a  
17 certification listing the page number and line number of  
18 each signature struck from the petition. Such  
19 certification shall be filed as a part of the petition.

20 Such sheets before being filed shall be neatly fastened  
21 together in book form, by placing the sheets in a pile and  
22 fastening them together at one edge in a secure and suitable  
23 manner, and the sheets shall then be numbered consecutively.  
24 The sheets shall not be fastened by pasting them together end  
25 to end, so as to form a continuous strip or roll. All petition  
26 sheets which are filed with the proper local election



1 officials, election authorities or the State Board of  
2 Elections shall be the original sheets which have been signed  
3 by the voters and by the circulator thereof, and not  
4 photocopies or duplicates of such sheets. Each petition must  
5 include as a part thereof, a statement of candidacy for each of  
6 the candidates filing, or in whose behalf the petition is  
7 filed. This statement shall set out the address of such  
8 candidate, the office for which he is a candidate, shall state  
9 that the candidate is a qualified primary voter of the party to  
10 which the petition relates and is qualified for the office  
11 specified (in the case of a candidate for State's Attorney it  
12 shall state that the candidate is at the time of filing such  
13 statement a licensed attorney-at-law of this State), shall  
14 state that he has filed (or will file before the close of the  
15 petition filing period) a statement of economic interests as  
16 required by the Illinois Governmental Ethics Act, shall  
17 request that the candidate's name be placed upon the official  
18 ballot, and shall be subscribed and sworn to by such candidate  
19 before some officer authorized to take acknowledgment of deeds  
20 in the State and shall be in substantially the following form:

## 21 Statement of Candidacy

22	Name	Address	Office	District	Party
23	John Jones	102 Main St.	Governor	Statewide	Republican
24		Belvidere,			
25		Illinois			

1 State of Illinois)

2 ) ss.

3 County of .....)

4 I, ....., being first duly sworn, say that I reside at ....  
5 Street in the city (or village) of ....., in the county of .....,  
6 State of Illinois; that I am a qualified voter therein and am a  
7 qualified primary voter of the .... party; that I am a  
8 candidate for nomination (for election in the case of  
9 committeeperson and delegates and alternate delegates) to the  
10 office of .... to be voted upon at the primary election to be  
11 held on (insert date); that I am legally qualified (including  
12 being the holder of any license that may be an eligibility  
13 requirement for the office I seek the nomination for) to hold  
14 such office and that I have filed (or I will file before the  
15 close of the petition filing period) a statement of economic  
16 interests as required by the Illinois Governmental Ethics Act  
17 and I hereby request that my name be printed upon the official  
18 primary ballot for nomination for (or election to in the case  
19 of committeepersons and delegates and alternate delegates)  
20 such office.

21 Signed .....

22 Subscribed and sworn to (or affirmed) before me by .....,  
23 who is to me personally known, on (insert date).

24 Signed .....

25 (Official Character)

26 (Seal, if officer has one.)

1           The petitions, when filed, shall not be withdrawn or added  
2 to, and no signatures shall be revoked except by revocation  
3 filed in writing with the State Board of Elections, election  
4 authority or local election official with whom the petition is  
5 required to be filed, and before the filing of such petition.  
6 Whoever forges the name of a signer upon any petition required  
7 by this Article is deemed guilty of a forgery and on conviction  
8 thereof shall be punished accordingly.

9           A candidate for the offices listed in this Section must  
10 obtain the number of signatures specified in this Section on  
11 his or her petition for nomination.

12           (a) Statewide office or delegate to a national nominating  
13 convention. Except as otherwise provided in this Code, if a  
14 candidate seeks to run for statewide office or as a delegate or  
15 alternate delegate to a national nominating convention elected  
16 from the State at-large, then the candidate's petition for  
17 nomination must contain at least 5,000 but not more than  
18 10,000 signatures.

19           (b) Congressional office or congressional delegate to a  
20 national nominating convention. Except as otherwise provided  
21 in this Code, if a candidate seeks to run for United States  
22 Congress or as a congressional delegate or alternate  
23 congressional delegate to a national nominating convention  
24 elected from a congressional district, then the candidate's  
25 petition for nomination must contain at least the number of

1 signatures equal to 0.5% of the qualified primary electors of  
2 his or her party in his or her congressional district. In the  
3 first primary election following a redistricting of  
4 congressional districts, a candidate's petition for nomination  
5 must contain at least 600 signatures of qualified primary  
6 electors of the candidate's political party in his or her  
7 congressional district.

8 (c) County office. Except as otherwise provided in this  
9 Code, if a candidate seeks to run for any countywide office,  
10 including, but not limited to, county board chairperson or  
11 county board member, elected on an at-large basis, in a county  
12 other than Cook County, then the candidate's petition for  
13 nomination must contain at least the number of signatures  
14 equal to 0.5% of the qualified electors of his or her party who  
15 cast votes at the last preceding general election in his or her  
16 county. If a candidate seeks to run for county board member  
17 elected from a county board district, then the candidate's  
18 petition for nomination must contain at least the number of  
19 signatures equal to 0.5% of the qualified primary electors of  
20 his or her party in the county board district. In the first  
21 primary election following a redistricting of county board  
22 districts or the initial establishment of county board  
23 districts, a candidate's petition for nomination must contain  
24 at least the number of signatures equal to 0.5% of the  
25 qualified electors of his or her party in the entire county who  
26 cast votes at the last preceding general election divided by

1 the total number of county board districts comprising the  
2 county board; provided that in no event shall the number of  
3 signatures be less than 25.

4 (d) County office; Cook County only.

5 (1) If a candidate seeks to run for countywide office  
6 in Cook County, then the candidate's petition for  
7 nomination must contain at least the number of signatures  
8 equal to 0.5% of the qualified electors of his or her party  
9 who cast votes at the last preceding general election in  
10 Cook County.

11 (2) If a candidate seeks to run for Cook County Board  
12 Commissioner, then the candidate's petition for nomination  
13 must contain at least the number of signatures equal to  
14 0.5% of the qualified primary electors of his or her party  
15 in his or her county board district. In the first primary  
16 election following a redistricting of Cook County Board of  
17 Commissioners districts, a candidate's petition for  
18 nomination must contain at least the number of signatures  
19 equal to 0.5% of the qualified electors of his or her party  
20 in the entire county who cast votes at the last preceding  
21 general election divided by the total number of county  
22 board districts comprising the county board; provided that  
23 in no event shall the number of signatures be less than 25.

24 (3) Except as otherwise provided in this Code, if a  
25 candidate seeks to run for Cook County Board of Review  
26 Commissioner, which is elected from a district pursuant to

1 subsection (c) of Section 5-5 of the Property Tax Code,  
2 then the candidate's petition for nomination must contain  
3 at least the number of signatures equal to 0.5% of the  
4 total number of registered voters in his or her board of  
5 review district in the last general election at which a  
6 commissioner was regularly scheduled to be elected from  
7 that board of review district. In no event shall the  
8 number of signatures required be greater than the  
9 requisite number for a candidate who seeks countywide  
10 office in Cook County under subsection (d)(1) of this  
11 Section. In the first primary election following a  
12 redistricting of Cook County Board of Review districts, a  
13 candidate's petition for nomination must contain at least  
14 4,000 signatures or at least the number of signatures  
15 required for a countywide candidate in Cook County,  
16 whichever is less, of the qualified electors of his or her  
17 party in the district.

18 (e) Municipal or township office. If a candidate seeks to  
19 run for municipal or township office, then the candidate's  
20 petition for nomination must contain at least the number of  
21 signatures equal to 0.5% of the qualified primary electors of  
22 his or her party in the municipality or township. If a  
23 candidate seeks to run for alderperson of a municipality, then  
24 the candidate's petition for nomination must contain at least  
25 the number of signatures equal to 0.5% of the qualified  
26 primary electors of his or her party of the ward. In the first

1 primary election following redistricting of wards or trustee  
2 districts of a municipality or the initial establishment of  
3 wards or districts, a candidate's petition for nomination must  
4 contain the number of signatures equal to at least 0.5% of the  
5 total number of votes cast for the candidate of that political  
6 party who received the highest number of votes in the entire  
7 municipality at the last regular election at which an officer  
8 was regularly scheduled to be elected from the entire  
9 municipality, divided by the number of wards or districts. In  
10 no event shall the number of signatures be less than 25.

11 (f) State central committeeperson. If a candidate seeks to  
12 run for State central committeeperson, then the candidate's  
13 petition for nomination must contain at least 100 signatures  
14 of the primary electors of his or her party of his or her  
15 congressional district.

16 (g) Sanitary district trustee. Except as otherwise  
17 provided in this Code, if a candidate seeks to run for trustee  
18 of a sanitary district in which trustees are not elected from  
19 wards, then the candidate's petition for nomination must  
20 contain at least the number of signatures equal to 0.5% of the  
21 primary electors of his or her party from the sanitary  
22 district. If a candidate seeks to run for trustee of a sanitary  
23 district in which trustees are elected from wards, then the  
24 candidate's petition for nomination must contain at least the  
25 number of signatures equal to 0.5% of the primary electors of  
26 his or her party in the ward of that sanitary district. In the

1 first primary election following redistricting of sanitary  
2 districts elected from wards, a candidate's petition for  
3 nomination must contain at least the signatures of 150  
4 qualified primary electors of his or her ward of that sanitary  
5 district.

6 (h) Judicial office. Except as otherwise provided in this  
7 Code, if a candidate seeks to run for judicial office in a  
8 district, then the candidate's petition for nomination must  
9 contain the number of signatures equal to 0.4% of the number of  
10 votes cast in that district for the candidate for his or her  
11 political party for the office of Governor at the last general  
12 election at which a Governor was elected, but in no event less  
13 than 500 signatures. If a candidate seeks to run for judicial  
14 office in a circuit or subcircuit, then the candidate's  
15 petition for nomination must contain the number of signatures  
16 equal to 0.25% of the number of votes cast for the judicial  
17 candidate of his or her political party who received the  
18 highest number of votes at the last general election at which a  
19 judicial officer from the same circuit or subcircuit was  
20 regularly scheduled to be elected, but in no event less than  
21 1,000 signatures in circuits and subcircuits located in the  
22 First Judicial District or 500 signatures in every other  
23 Judicial District.

24 (i) Precinct, ward, and township committeeperson. Except  
25 as otherwise provided in this Code, if a candidate seeks to run  
26 for precinct committeeperson, then the candidate's petition



1 for nomination must contain at least 10 signatures of the  
2 primary electors of his or her party for the precinct. If a  
3 candidate seeks to run for ward committeeperson, then the  
4 candidate's petition for nomination must contain no less than  
5 the number of signatures equal to 10% of the primary electors  
6 of his or her party of the ward, but no more than 16% of those  
7 same electors; provided that the maximum number of signatures  
8 may be 50 more than the minimum number, whichever is greater.  
9 If a candidate seeks to run for township committeeperson, then  
10 the candidate's petition for nomination must contain no less  
11 than the number of signatures equal to 5% of the primary  
12 electors of his or her party of the township, but no more than  
13 8% of those same electors; provided that the maximum number of  
14 signatures may be 50 more than the minimum number, whichever  
15 is greater.

16 (j) State's attorney or regional superintendent of schools  
17 for multiple counties. If a candidate seeks to run for State's  
18 attorney or regional Superintendent of Schools who serves more  
19 than one county, then the candidate's petition for nomination  
20 must contain at least the number of signatures equal to 0.5% of  
21 the primary electors of his or her party in the territory  
22 comprising the counties.

23 (k) Any other office. If a candidate seeks any other  
24 office, then the candidate's petition for nomination must  
25 contain at least the number of signatures equal to 0.5% of the  
26 registered voters of the political subdivision, district, or

1 division for which the nomination is made or 25 signatures,  
2 whichever is greater.

3 For purposes of this Section the number of primary  
4 electors shall be determined by taking the total vote cast, in  
5 the applicable district, for the candidate for that political  
6 party who received the highest number of votes, statewide, at  
7 the last general election in the State at which electors for  
8 President of the United States were elected. For political  
9 subdivisions, the number of primary electors shall be  
10 determined by taking the total vote cast for the candidate for  
11 that political party who received the highest number of votes  
12 in the political subdivision at the last regular election at  
13 which an officer was regularly scheduled to be elected from  
14 that subdivision. For wards or districts of political  
15 subdivisions, the number of primary electors shall be  
16 determined by taking the total vote cast for the candidate for  
17 that political party who received the highest number of votes  
18 in the ward or district at the last regular election at which  
19 an officer was regularly scheduled to be elected from that  
20 ward or district.

21 A "qualified primary elector" of a party may not sign  
22 petitions for or be a candidate in the primary of more than one  
23 party.

24 The changes made to this Section by Public Act 93-574 ~~of~~  
25 ~~this amendatory Act of the 93rd General Assembly~~ are  
26 declarative of existing law, except for item (3) of subsection

1 (d).

2 Petitions of candidates for nomination for offices herein  
3 specified, to be filed with the same officer, may contain the  
4 names of 2 or more candidates of the same political party for  
5 the same or different offices. In the case of the offices of  
6 Governor and Lieutenant Governor, a joint petition including  
7 one candidate for each of those offices must be filed.

8 (Source: P.A. 102-15, eff. 6-17-21; revised 7-14-21.)

9 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

10 Sec. 7-12. All petitions for nomination shall be filed by  
11 mail or in person as follows:

12 (1) Except as otherwise provided in this Code, where  
13 the nomination is to be made for a State, congressional,  
14 or judicial office, or for any office a nomination for  
15 which is made for a territorial division or district which  
16 comprises more than one county or is partly in one county  
17 and partly in another county or counties (including the  
18 Fox Metro Water Reclamation District), then, except as  
19 otherwise provided in this Section, such petition for  
20 nomination shall be filed in the principal office of the  
21 State Board of Elections not more than 113 and not less  
22 than 106 days prior to the date of the primary, but, in the  
23 case of petitions for nomination to fill a vacancy by  
24 special election in the office of representative in  
25 Congress from this State, such petition for nomination

1 shall be filed in the principal office of the State Board  
2 of Elections not more than 85 days and not less than 82  
3 days prior to the date of the primary.

4 Where a vacancy occurs in the office of Supreme,  
5 Appellate or Circuit Court Judge within the 3-week period  
6 preceding the 106th day before a general primary election,  
7 petitions for nomination for the office in which the  
8 vacancy has occurred shall be filed in the principal  
9 office of the State Board of Elections not more than 92 nor  
10 less than 85 days prior to the date of the general primary  
11 election.

12 Where the nomination is to be made for delegates or  
13 alternate delegates to a national nominating convention,  
14 then such petition for nomination shall be filed in the  
15 principal office of the State Board of Elections not more  
16 than 113 and not less than 106 days prior to the date of  
17 the primary; provided, however, that if the rules or  
18 policies of a national political party conflict with such  
19 requirements for filing petitions for nomination for  
20 delegates or alternate delegates to a national nominating  
21 convention, the chair of the State central committee of  
22 such national political party shall notify the Board in  
23 writing, citing by reference the rules or policies of the  
24 national political party in conflict, and in such case the  
25 Board shall direct such petitions to be filed in  
26 accordance with the delegate selection plan adopted by the

1 state central committee of such national political party.

2 (2) Where the nomination is to be made for a county  
3 office or trustee of a sanitary district then such  
4 petition shall be filed in the office of the county clerk  
5 not more than 113 nor less than 106 days prior to the date  
6 of the primary.

7 (3) Where the nomination is to be made for a municipal  
8 or township office, such petitions for nomination shall be  
9 filed in the office of the local election official, not  
10 more than 99 nor less than 92 days prior to the date of the  
11 primary; provided, where a municipality's or township's  
12 boundaries are coextensive with or are entirely within the  
13 jurisdiction of a municipal board of election  
14 commissioners, the petitions shall be filed in the office  
15 of such board; and provided, that petitions for the office  
16 of multi-township assessor shall be filed with the  
17 election authority.

18 (4) The petitions of candidates for State central  
19 committeeperson shall be filed in the principal office of  
20 the State Board of Elections not more than 113 nor less  
21 than 106 days prior to the date of the primary.

22 (5) Petitions of candidates for precinct, township or  
23 ward committeepersons shall be filed in the office of the  
24 county clerk not more than 113 nor less than 106 days prior  
25 to the date of the primary.

26 (6) The State Board of Elections and the various

1 election authorities and local election officials with  
2 whom such petitions for nominations are filed shall  
3 specify the place where filings shall be made and upon  
4 receipt shall endorse thereon the day and hour on which  
5 each petition was filed. All petitions filed by persons  
6 waiting in line as of 8:00 a.m. on the first day for  
7 filing, or as of the normal opening hour of the office  
8 involved on such day, shall be deemed filed as of 8:00 a.m.  
9 or the normal opening hour, as the case may be. Petitions  
10 filed by mail and received after midnight of the first day  
11 for filing and in the first mail delivery or pickup of that  
12 day shall be deemed as filed as of 8:00 a.m. of that day or  
13 as of the normal opening hour of such day, as the case may  
14 be. All petitions received thereafter shall be deemed as  
15 filed in the order of actual receipt. However, 2 or more  
16 petitions filed within the last hour of the filing  
17 deadline shall be deemed filed simultaneously. Where 2 or  
18 more petitions are received simultaneously, the State  
19 Board of Elections or the various election authorities or  
20 local election officials with whom such petitions are  
21 filed shall break ties and determine the order of filing,  
22 by means of a lottery or other fair and impartial method of  
23 random selection approved by the State Board of Elections.  
24 Such lottery shall be conducted within 9 days following  
25 the last day for petition filing and shall be open to the  
26 public. Seven days written notice of the time and place of

1 conducting such random selection shall be given by the  
2 State Board of Elections to the chair of the State central  
3 committee of each established political party, and by each  
4 election authority or local election official, to the  
5 County Chair of each established political party, and to  
6 each organization of citizens within the election  
7 jurisdiction which was entitled, under this Article, at  
8 the next preceding election, to have pollwatchers present  
9 on the day of election. The State Board of Elections,  
10 election authority or local election official shall post  
11 in a conspicuous, open and public place, at the entrance  
12 of the office, notice of the time and place of such  
13 lottery. The State Board of Elections shall adopt rules  
14 and regulations governing the procedures for the conduct  
15 of such lottery. All candidates shall be certified in the  
16 order in which their petitions have been filed. Where  
17 candidates have filed simultaneously, they shall be  
18 certified in the order determined by lot and prior to  
19 candidates who filed for the same office at a later time.

20 (7) The State Board of Elections or the appropriate  
21 election authority or local election official with whom  
22 such a petition for nomination is filed shall notify the  
23 person for whom a petition for nomination has been filed  
24 of the obligation to file statements of organization,  
25 reports of campaign contributions, and annual reports of  
26 campaign contributions and expenditures under Article 9 of

1           this Code ~~Act~~. Such notice shall be given in the manner  
2           prescribed by paragraph (7) of Section 9-16 of this Code.

3           (8) Nomination papers filed under this Section are not  
4           valid if the candidate named therein fails to file a  
5           statement of economic interests as required by the  
6           Illinois Governmental Ethics Act in relation to his  
7           candidacy with the appropriate officer by the end of the  
8           period for the filing of nomination papers unless he has  
9           filed a statement of economic interests in relation to the  
10          same governmental unit with that officer within a year  
11          preceding the date on which such nomination papers were  
12          filed. If the nomination papers of any candidate and the  
13          statement of economic interest of that candidate are not  
14          required to be filed with the same officer, the candidate  
15          must file with the officer with whom the nomination papers  
16          are filed a receipt from the officer with whom the  
17          statement of economic interests is filed showing the date  
18          on which such statement was filed. Such receipt shall be  
19          so filed not later than the last day on which nomination  
20          papers may be filed.

21          (9) Except as otherwise provided in this Code, any  
22          person for whom a petition for nomination, or for  
23          committeeperson or for delegate or alternate delegate to a  
24          national nominating convention has been filed may cause  
25          his name to be withdrawn by request in writing, signed by  
26          him and duly acknowledged before an officer qualified to



1 take acknowledgments of deeds, and filed in the principal  
2 or permanent branch office of the State Board of Elections  
3 or with the appropriate election authority or local  
4 election official, not later than the date of  
5 certification of candidates for the consolidated primary  
6 or general primary ballot. No names so withdrawn shall be  
7 certified or printed on the primary ballot. If petitions  
8 for nomination have been filed for the same person with  
9 respect to more than one political party, his name shall  
10 not be certified nor printed on the primary ballot of any  
11 party. If petitions for nomination have been filed for the  
12 same person for 2 or more offices which are incompatible  
13 so that the same person could not serve in more than one of  
14 such offices if elected, that person must withdraw as a  
15 candidate for all but one of such offices within the 5  
16 business days following the last day for petition filing.  
17 A candidate in a judicial election may file petitions for  
18 nomination for only one vacancy in a subcircuit and only  
19 one vacancy in a circuit in any one filing period, and if  
20 petitions for nomination have been filed for the same  
21 person for 2 or more vacancies in the same circuit or  
22 subcircuit in the same filing period, his or her name  
23 shall be certified only for the first vacancy for which  
24 the petitions for nomination were filed. If he fails to  
25 withdraw as a candidate for all but one of such offices  
26 within such time his name shall not be certified, nor

1 printed on the primary ballot, for any office. For the  
2 purpose of the foregoing provisions, an office in a  
3 political party is not incompatible with any other office.

4 (10)(a) Notwithstanding the provisions of any other  
5 statute, no primary shall be held for an established  
6 political party in any township, municipality, or ward  
7 thereof, where the nomination of such party for every  
8 office to be voted upon by the electors of such township,  
9 municipality, or ward thereof, is uncontested. Whenever a  
10 political party's nomination of candidates is uncontested  
11 as to one or more, but not all, of the offices to be voted  
12 upon by the electors of a township, municipality, or ward  
13 thereof, then a primary shall be held for that party in  
14 such township, municipality, or ward thereof; provided  
15 that the primary ballot shall not include those offices  
16 within such township, municipality, or ward thereof, for  
17 which the nomination is uncontested. For purposes of this  
18 Article, the nomination of an established political party  
19 of a candidate for election to an office shall be deemed to  
20 be uncontested where not more than the number of persons  
21 to be nominated have timely filed valid nomination papers  
22 seeking the nomination of such party for election to such  
23 office.

24 (b) Notwithstanding the provisions of any other  
25 statute, no primary election shall be held for an  
26 established political party for any special primary

1 election called for the purpose of filling a vacancy in  
2 the office of representative in the United States Congress  
3 where the nomination of such political party for said  
4 office is uncontested. For the purposes of this Article,  
5 the nomination of an established political party of a  
6 candidate for election to said office shall be deemed to  
7 be uncontested where not more than the number of persons  
8 to be nominated have timely filed valid nomination papers  
9 seeking the nomination of such established party for  
10 election to said office. This subsection (b) shall not  
11 apply if such primary election is conducted on a regularly  
12 scheduled election day.

13 (c) Notwithstanding the provisions in subparagraph (a)  
14 and (b) of this paragraph (10), whenever a person who has  
15 not timely filed valid nomination papers and who intends  
16 to become a write-in candidate for a political party's  
17 nomination for any office for which the nomination is  
18 uncontested files a written statement or notice of that  
19 intent with the State Board of Elections or the local  
20 election official with whom nomination papers for such  
21 office are filed, a primary ballot shall be prepared and a  
22 primary shall be held for that office. Such statement or  
23 notice shall be filed on or before the date established in  
24 this Article for certifying candidates for the primary  
25 ballot. Such statement or notice shall contain (i) the  
26 name and address of the person intending to become a

1 write-in candidate, (ii) a statement that the person is a  
2 qualified primary elector of the political party from whom  
3 the nomination is sought, (iii) a statement that the  
4 person intends to become a write-in candidate for the  
5 party's nomination, and (iv) the office the person is  
6 seeking as a write-in candidate. An election authority  
7 shall have no duty to conduct a primary and prepare a  
8 primary ballot for any office for which the nomination is  
9 uncontested unless a statement or notice meeting the  
10 requirements of this Section is filed in a timely manner.

11 (11) If multiple sets of nomination papers are filed  
12 for a candidate to the same office, the State Board of  
13 Elections, appropriate election authority or local  
14 election official where the petitions are filed shall  
15 within 2 business days notify the candidate of his or her  
16 multiple petition filings and that the candidate has 3  
17 business days after receipt of the notice to notify the  
18 State Board of Elections, appropriate election authority  
19 or local election official that he or she may cancel prior  
20 sets of petitions. If the candidate notifies the State  
21 Board of Elections, appropriate election authority or  
22 local election official, the last set of petitions filed  
23 shall be the only petitions to be considered valid by the  
24 State Board of Elections, election authority or local  
25 election official. If the candidate fails to notify the  
26 State Board of Elections, election authority or local

1 election official then only the first set of petitions  
2 filed shall be valid and all subsequent petitions shall be  
3 void.

4 (12) All nominating petitions shall be available for  
5 public inspection and shall be preserved for a period of  
6 not less than 6 months.

7 (Source: P.A. 101-523, eff. 8-23-19; 102-15, eff. 6-17-21;  
8 revised 7-14-21.)

9 (10 ILCS 5/10-4) (from Ch. 46, par. 10-4)

10 Sec. 10-4. Form of petition for nomination. All petitions  
11 for nomination under this Article 10 for candidates for public  
12 office in this State, shall in addition to other requirements  
13 provided by law, be as follows: Such petitions shall consist  
14 of sheets of uniform size and each sheet shall contain, above  
15 the space for signature, an appropriate heading, giving the  
16 information as to name of candidate or candidates in whose  
17 behalf such petition is signed; the office; the party; place  
18 of residence; and such other information or wording as  
19 required to make same valid, and the heading of each sheet  
20 shall be the same. Such petition shall be signed by the  
21 qualified voters in their own proper persons only, and  
22 opposite the signature of each signer his residence address  
23 shall be written or printed. The residence address required to  
24 be written or printed opposite each qualified primary  
25 elector's name shall include the street address or rural route

1 number of the signer, as the case may be, as well as the  
2 signer's county, and city, village or town, and state.  
3 However, the county or city, village or town, and state of  
4 residence of such electors may be printed on the petition  
5 forms where all of the electors signing the petition reside in  
6 the same county or city, village or town, and state. Standard  
7 abbreviations may be used in writing the residence address,  
8 including street number, if any. Except as otherwise provided  
9 in this Code, no signature shall be valid or be counted in  
10 considering the validity or sufficiency of such petition  
11 unless the requirements of this Section are complied with. At  
12 the bottom of each sheet of such petition shall be added a  
13 circulator's statement, signed by a person 18 years of age or  
14 older who is a citizen of the United States; stating the street  
15 address or rural route number, as the case may be, as well as  
16 the county, city, village or town, and state; certifying that  
17 the signatures on that sheet of the petition were signed in his  
18 or her presence; certifying that the signatures are genuine;  
19 and either (1) indicating the dates on which that sheet was  
20 circulated, or (2) indicating the first and last dates on  
21 which the sheet was circulated, or (3) certifying that none of  
22 the signatures on the sheet were signed more than 90 days  
23 preceding the last day for the filing of the petition; and  
24 certifying that to the best of his knowledge and belief the  
25 persons so signing were at the time of signing the petition  
26 duly registered voters under Article ~~Articles~~ 4, 5, or 6 of

1 this ~~the~~ Code of the political subdivision or district for  
2 which the candidate or candidates shall be nominated, and  
3 certifying that their respective residences are correctly  
4 stated therein. Such statement shall be sworn to before some  
5 officer authorized to administer oaths in this State. Except  
6 as otherwise provided in this Code, no petition sheet shall be  
7 circulated more than 90 days preceding the last day provided  
8 in Section 10-6 for the filing of such petition. Such sheets,  
9 before being presented to the electoral board or filed with  
10 the proper officer of the electoral district or division of  
11 the state or municipality, as the case may be, shall be neatly  
12 fastened together in book form, by placing the sheets in a pile  
13 and fastening them together at one edge in a secure and  
14 suitable manner, and the sheets shall then be numbered  
15 consecutively. The sheets shall not be fastened by pasting  
16 them together end to end, so as to form a continuous strip or  
17 roll. All petition sheets which are filed with the proper  
18 local election officials, election authorities or the State  
19 Board of Elections shall be the original sheets which have  
20 been signed by the voters and by the circulator, and not  
21 photocopies or duplicates of such sheets. A petition, when  
22 presented or filed, shall not be withdrawn, altered, or added  
23 to, and no signature shall be revoked except by revocation in  
24 writing presented or filed with the officers or officer with  
25 whom the petition is required to be presented or filed, and  
26 before the presentment or filing of such petition. Whoever

1 forges any name of a signer upon any petition shall be deemed  
2 guilty of a forgery, and on conviction thereof, shall be  
3 punished accordingly. The word "petition" or "petition for  
4 nomination", as used herein, shall mean what is sometimes  
5 known as nomination papers, in distinction to what is known as  
6 a certificate of nomination. The words "political division for  
7 which the candidate is nominated", or its equivalent, shall  
8 mean the largest political division in which all qualified  
9 voters may vote upon such candidate or candidates, as the  
10 state in the case of state officers; the township in the case  
11 of township officers et cetera. Provided, further, that no  
12 person shall circulate or certify petitions for candidates of  
13 more than one political party, or for an independent candidate  
14 or candidates in addition to one political party, to be voted  
15 upon at the next primary or general election, or for such  
16 candidates and parties with respect to the same political  
17 subdivision at the next consolidated election.

18 (Source: P.A. 102-15, eff. 6-17-21; revised 7-15-21.)

19 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

20 Sec. 19-2. Except as otherwise provided in this Code, any  
21 elector as defined in Section 19-1 may by mail or  
22 electronically on the website of the appropriate election  
23 authority, not more than 90 nor less than 5 days prior to the  
24 date of such election, or by personal delivery not more than 90  
25 nor less than one day prior to the date of such election, make



1 application to the county clerk or to the Board of Election  
2 Commissioners for an official ballot for the voter's precinct  
3 to be voted at such election, ~~or~~ to be added to a list of  
4 permanent vote by mail status voters who receive an official  
5 vote by mail ballot for subsequent elections. Voters who make  
6 an application for permanent vote by mail ballot status shall  
7 follow the procedures specified in Section 19-3. Voters whose  
8 application for permanent vote by mail status is accepted by  
9 the election authority shall remain on the permanent vote by  
10 mail list until the voter requests to be removed from  
11 permanent vote by mail status, the voter provides notice to  
12 the election authority of a change in registration, or the  
13 election authority receives confirmation that the voter has  
14 subsequently registered to vote in another county. The URL  
15 address at which voters may electronically request a vote by  
16 mail ballot shall be fixed no later than 90 calendar days  
17 before an election and shall not be changed until after the  
18 election. Such a ballot shall be delivered to the elector only  
19 upon separate application by the elector for each election.

20 (Source: P.A. 102-15, eff. 6-17-21; revised 7-15-21.)

21 Section 12. The Community Development Loan Guarantee Act  
22 is amended by changing Section 30-1 as follows:

23 (15 ILCS 516/30-1)

24 Sec. 30-1. Short title. This Article Act ~~Act~~ may be cited as

1 the Community Development Loan Guarantee Act. References in  
2 this Article to "this Act" mean this Article.

3 (Source: P.A. 101-657, eff. 3-23-21; revised 7-16-21.)

4 Section 15. The Department of State Police Law of the  
5 Civil Administrative Code of Illinois is amended by changing  
6 Section 2605-53 as follows:

7 (20 ILCS 2605/2605-53)

8 Sec. 2605-53. 9-1-1 system; sexual assault and sexual  
9 abuse.

10 (a) The Office of the Statewide 9-1-1 Administrator, in  
11 consultation with the Office of the Attorney General and the  
12 Illinois Law Enforcement Training Standards Board, shall:

13 (1) develop comprehensive guidelines for  
14 evidence-based, trauma-informed, victim-centered handling  
15 of sexual assault or sexual abuse calls by Public Safety  
16 Answering Point telecommunicators; and

17 (2) adopt rules and minimum standards for an  
18 evidence-based, trauma-informed, victim-centered training  
19 curriculum for handling of sexual assault or sexual abuse  
20 calls for Public Safety Answering Point telecommunicators  
21 ("PSAP").

22 (a-5) Within one year after June 3, 2021 (the effective  
23 date of Public Act 102-9) ~~this amendatory Act of the 102nd~~  
24 ~~General Assembly,~~ the Office of the Statewide 9-1-1

1 Administrator, in consultation with the Statewide 9-1-1  
2 Advisory Board, shall:

3 (1) develop comprehensive guidelines for training on  
4 emergency dispatch procedures, including, but not limited  
5 to, emergency medical dispatch, and the delivery of 9-1-1  
6 services and professionalism for public safety  
7 telecommunicators and public safety telecommunicator  
8 supervisors; and

9 (2) adopt rules and minimum standards for continuing  
10 education on emergency dispatch procedures, including, but  
11 not limited to, emergency medical dispatch, and the  
12 delivery of 9-1-1 services and professionalism for public  
13 safety telecommunicators and public safety  
14 telecommunicator Supervisors. ~~and~~

15 (a-10) The Office of the Statewide 9-1-1 Administrator may  
16 as necessary establish by rule appropriate testing and  
17 certification processes consistent with the training required  
18 by this Section.

19 (b) Training requirements:

20 (1) Newly hired PSAP telecommunicators must complete  
21 the sexual assault and sexual abuse training curriculum  
22 established in subsection (a) of this Section prior to  
23 handling emergency calls.

24 (2) All existing PSAP telecommunicators shall complete  
25 the sexual assault and sexual abuse training curriculum  
26 established in subsection (a) of this Section within 2

1 years of January 1, 2017 (the effective date of Public Act  
2 99-801) ~~this amendatory Act of the 99th General Assembly.~~

3 (3) Newly hired public safety telecommunicators shall  
4 complete the emergency dispatch procedures training  
5 curriculum established in subsection (a-5) of this Section  
6 prior to independently handling emergency calls within one  
7 year of the Statewide 9-1-1 Administrator establishing the  
8 required guidelines, rules, and standards.

9 (4) All public safety telecommunicators and public  
10 safety telecommunicator supervisors who were not required  
11 to complete new hire training prior to handling emergency  
12 calls, must either demonstrate proficiency or complete the  
13 training established in subsection (a-5) of this Section  
14 within one year of the Statewide 9-1-1 Administrator  
15 establishing the required guidelines, rules, and  
16 standards.

17 (5) Upon completion of the training required in either  
18 paragraph (3) or (4) of this subsection (b), whichever is  
19 applicable, all public safety telecommunicators and public  
20 safety telecommunicator supervisors shall complete the  
21 continuing education training regarding the delivery of  
22 9-1-1 services and professionalism biennially.

23 (c) The Illinois State Police may adopt rules for the  
24 administration of this Section.

25 (Source: P.A. 102-9, eff. 6-3-21; revised 7-16-21.)

1 Section 20. The State Police Act is amended by changing  
2 Section 17c as follows:

3 (20 ILCS 2610/17c)

4 Sec. 17c. Military equipment surplus program.

5 (a) For purposes of this Section:

6 "Bayonet" means a large knife designed to be attached to  
7 the muzzle of a rifle, shotgun, or long gun for the purpose of  
8 hand-to-hand combat.

9 "Grenade launcher" means a firearm or firearm accessory  
10 used to launch fragmentary explosive rounds designed to  
11 inflict death or cause great bodily harm.

12 "Military equipment surplus program" means any federal or  
13 State program allowing a law enforcement agency to obtain  
14 surplus military equipment, including, but not limited ~~limit~~  
15 to, any program organized under Section 1122 of the National  
16 Defense Authorization Act for Fiscal Year 1994 (Pub. L.  
17 103-160) or Section 1033 of the National Defense Authorization  
18 Act for Fiscal Year 1997 (Pub. L. 104-201), or any program  
19 established under 10 U.S.C. 2576a.

20 "Tracked armored vehicle" means a vehicle that provides  
21 ballistic protection to its occupants and utilizes a tracked  
22 system instead of wheels for forward motion, not including  
23 vehicles listed in the Authorized Equipment List as published  
24 by the Federal Emergency Management Agency.

25 "Weaponized aircraft, vessel, or vehicle" means any

1 aircraft, vessel, or vehicle with weapons installed.

2 (b) The Illinois State Police shall not request or receive  
3 from any military equipment surplus program nor purchase or  
4 otherwise utilize the following equipment:

5 (1) tracked armored vehicles;

6 (2) weaponized aircraft, vessels, or vehicles;

7 (3) firearms of .50-caliber or higher;

8 (4) ammunition of .50-caliber or higher;

9 (5) grenade launchers; or

10 (6) bayonets.

11 (c) If the Illinois State Police request other property  
12 not prohibited by this Section from a military equipment  
13 surplus program, the Illinois State Police shall publish  
14 notice of the request on a publicly accessible website  
15 maintained by the Illinois State Police within 14 days after  
16 the request.

17 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
18 revised 7-30-21.)

19 Section 25. The Illinois Future of Work Act is amended by  
20 changing Section 15 as follows:

21 (20 ILCS 4103/15)

22 (Section scheduled to be repealed on January 1, 2024)

23 Sec. 15. Membership; meetings.

24 (a) The members of the Illinois Future of Work Task Force

1 shall include and represent the diversity of the people of  
2 Illinois, and shall be composed of the following:

3 (1) four members, including one representative of the  
4 business community and one representative of the labor  
5 community, appointed by the Senate President, one of whom  
6 shall serve as co-chair;

7 (2) four members, including one representative of the  
8 business community and one representative of the labor  
9 community, appointed by the Minority Leader of the Senate,  
10 one of whom shall serve as co-chair;

11 (3) four members, including one representative of the  
12 business community and one representative of the labor  
13 community, appointed by the Speaker of the House of  
14 Representatives, one of whom shall serve as co-chair;

15 (4) four members, including one representative of the  
16 business community and one representative of the labor  
17 community, appointed by the Minority Leader ~~of the Speaker~~  
18 of the House of Representatives, one of whom shall serve  
19 as co-chair;

20 (5) four members, one from each of the following: the  
21 business community, the labor community, the environmental  
22 community, and the education community that advocate for  
23 job growth, appointed by the Governor;

24 (6) three members appointed by the Governor whose  
25 professional expertise is at the juncture of work and  
26 workers' rights;

- 1           (7) the Director of Labor or his or her designee;
- 2           (8) the Director of Commerce and Economic Opportunity  
3 or his or her designee;
- 4           (9) the Director of Employment Security or his or her  
5 designee;
- 6           (10) the Superintendent of the State Board of  
7 Education or his or her designee;
- 8           (11) the Executive Director of the Illinois Community  
9 College Board or his or her designee; and
- 10          (12) the Executive Director of the Board of Higher  
11 Education or his or her designee.

12          (b) Appointments for the Illinois Future of Work Task  
13 Force must be finalized by August 31, 2021. The Illinois  
14 Future of Work Task Force shall hold one meeting per month for  
15 a total of 7 meetings, and the first meeting must be held  
16 within 30 days after appointments are finalized.

17          (c) Members of the Illinois Future of Work Task Force  
18 shall serve without compensation.

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

21          (Source: P.A. 102-407, eff. 8-19-21; revised 8-25-21.)

22          Section 27. The Racial Impact Note Act is amended by  
23 changing Section 110-5 as follows:

24          (25 ILCS 83/110-5)



1           Sec. 110-5. Racial impact note. ~~(a)~~ Every bill which has  
2 or could have a disparate impact on racial and ethnic  
3 minorities, upon the request of any member, shall have  
4 prepared for it, before second reading in the house of  
5 introduction, a brief explanatory statement or note that shall  
6 include a reliable estimate of the anticipated impact on those  
7 racial and ethnic minorities likely to be impacted by the  
8 bill. Each racial impact note must include, for racial and  
9 ethnic minorities for which data are available: (i) an  
10 estimate of how the proposed legislation would impact racial  
11 and ethnic minorities; (ii) a statement of the methodologies  
12 and assumptions used in preparing the estimate; (iii) an  
13 estimate of the racial and ethnic composition of the  
14 population who may be impacted by the proposed legislation,  
15 including those persons who may be negatively impacted and  
16 those persons who may benefit from the proposed legislation;  
17 and (iv) any other matter that a responding agency considers  
18 appropriate in relation to the racial and ethnic minorities  
19 likely to be affected by the bill.

20           (Source: P.A. 102-4, eff. 4-27-21; revised 7-16-21.)

21           Section 30. The State Finance Act is amended by changing  
22 Section 8.25-4 as follows:

23           (30 ILCS 105/8.25-4) (from Ch. 127, par. 144.25-4)

24           Sec. 8.25-4. All moneys in the Illinois Sports Facilities

1 Fund are allocated to and shall be transferred, appropriated,  
2 and used only for the purposes authorized by, and subject to,  
3 the limitations and conditions of this Section.

4 All moneys deposited pursuant to Section 13.1 of the State  
5 Revenue Sharing Act ~~"An Act in relation to State revenue~~  
6 ~~sharing with local governmental entities", as amended,~~ and all  
7 moneys deposited with respect to the \$5,000,000 deposit, but  
8 not the additional \$8,000,000 advance applicable before July  
9 1, 2001, or the Advance Amount applicable on and after that  
10 date, pursuant to Section 6 of the ~~"The~~ Hotel Operators'  
11 Occupation Tax Act", ~~as amended,~~ into the Illinois Sports  
12 Facilities Fund shall be credited to the Subsidy Account  
13 within the Fund. All moneys deposited with respect to the  
14 additional \$8,000,000 advance applicable before July 1, 2001,  
15 or the Advance Amount applicable on and after that date, but  
16 not the \$5,000,000 deposit, pursuant to Section 6 of the ~~"The~~  
17 Hotel Operators' Occupation Tax Act", ~~as amended,~~ into the  
18 Illinois Sports Facilities Fund shall be credited to the  
19 Advance Account within the Fund. All moneys deposited from any  
20 transfer pursuant to Section 8g-1 of the State Finance Act  
21 shall be credited to the Advance Account within the Fund.

22 Beginning with fiscal year 1989 and continuing for each  
23 fiscal year thereafter through and including fiscal year 2001,  
24 no less than 30 days before the beginning of such fiscal year  
25 (except as soon as may be practicable after July 7, 1988 (the  
26 effective date of Public Act 85-1034) ~~this amendatory Act of~~

1 ~~1988~~ with respect to fiscal year 1989) the Chairman of the  
2 Illinois Sports Facilities Authority shall certify to the  
3 State Comptroller and the State Treasurer, without taking into  
4 account any revenues or receipts of the Authority, the lesser  
5 of (a) \$18,000,000 and (b) the sum of (i) the amount  
6 anticipated to be required by the Authority during the fiscal  
7 year to pay principal of and interest on, and other payments  
8 relating to, its obligations issued or to be issued under  
9 Section 13 of the Illinois Sports Facilities Authority Act,  
10 including any deposits required to reserve funds created under  
11 any indenture or resolution authorizing issuance of the  
12 obligations and payments to providers of credit enhancement,  
13 (ii) the amount anticipated to be required by the Authority  
14 during the fiscal year to pay obligations under the provisions  
15 of any management agreement with respect to a facility or  
16 facilities owned by the Authority or of any assistance  
17 agreement with respect to any facility for which financial  
18 assistance is provided under the Illinois Sports Facilities  
19 Authority Act, and to pay other capital and operating expenses  
20 of the Authority during the fiscal year, including any  
21 deposits required to reserve funds created for repair and  
22 replacement of capital assets and to meet the obligations of  
23 the Authority under any management agreement or assistance  
24 agreement, and (iii) any amounts under (i) and (ii) above  
25 remaining unpaid from previous years.

26 Beginning with fiscal year 2002 and continuing for each

1 fiscal year thereafter, no less than 30 days before the  
2 beginning of such fiscal year, the Chairman of the Illinois  
3 Sports Facilities Authority shall certify to the State  
4 Comptroller and the State Treasurer, without taking into  
5 account any revenues or receipts of the Authority, the lesser  
6 of (a) an amount equal to the sum of the Advance Amount plus  
7 \$10,000,000 and (b) the sum of (i) the amount anticipated to be  
8 required by the Authority during the fiscal year to pay  
9 principal of and interest on, and other payments relating to,  
10 its obligations issued or to be issued under Section 13 of the  
11 Illinois Sports Facilities Authority Act, including any  
12 deposits required to reserve funds created under any indenture  
13 or resolution authorizing issuance of the obligations and  
14 payments to providers of credit enhancement, (ii) the amount  
15 anticipated to be required by the Authority during the fiscal  
16 year to pay obligations under the provisions of any management  
17 agreement with respect to a facility or facilities owned by  
18 the Authority or any assistance agreement with respect to any  
19 facility for which financial assistance is provided under the  
20 Illinois Sports Facilities Authority Act, and to pay other  
21 capital and operating expenses of the Authority during the  
22 fiscal year, including any deposits required to reserve funds  
23 created for repair and replacement of capital assets and to  
24 meet the obligations of the Authority under any management  
25 agreement or assistance agreement, and (iii) any amounts under  
26 (i) and (ii) above remaining unpaid from previous years.

1           A copy of any certification made by the Chairman under the  
2 preceding 2 paragraphs shall be filed with the Governor and  
3 the Mayor of the City of Chicago. The Chairman may file an  
4 amended certification from time to time.

5           Subject to sufficient appropriation by the General  
6 Assembly, beginning with July 1, 1988 and thereafter  
7 continuing on the first day of each month during each fiscal  
8 year through and including fiscal year 2001, the Comptroller  
9 shall order paid and the Treasurer shall pay to the Authority  
10 the amount in the Illinois Sports Facilities Fund until (x)  
11 the lesser of \$10,000,000 or the amount appropriated for  
12 payment to the Authority from amounts credited to the Subsidy  
13 Account and (y) the lesser of \$8,000,000 or the difference  
14 between the amount appropriated for payment to the Authority  
15 during the fiscal year and \$10,000,000 has been paid from  
16 amounts credited to the Advance Account.

17           Subject to sufficient appropriation by the General  
18 Assembly, beginning with July 1, 2001, and thereafter  
19 continuing on the first day of each month during each fiscal  
20 year thereafter, the Comptroller shall order paid and the  
21 Treasurer shall pay to the Authority the amount in the  
22 Illinois Sports Facilities Fund until (x) the lesser of  
23 \$10,000,000 or the amount appropriated for payment to the  
24 Authority from amounts credited to the Subsidy Account and (y)  
25 the lesser of the Advance Amount or the difference between the  
26 amount appropriated for payment to the Authority during the

1 fiscal year and \$10,000,000 has been paid from amounts  
2 credited to the Advance Account.

3        Provided that all amounts deposited in the Illinois Sports  
4 Facilities Fund and credited to the Subsidy Account, to the  
5 extent requested pursuant to the Chairman's certification,  
6 have been paid, on June 30, 1989, and on June 30 of each year  
7 thereafter, all amounts remaining in the Subsidy Account of  
8 the Illinois Sports Facilities Fund shall be transferred by  
9 the State Treasurer one-half to the General Revenue Fund in  
10 the State Treasury and one-half to the City Tax Fund. Provided  
11 that all amounts appropriated from the Illinois Sports  
12 Facilities Fund, to the extent requested pursuant to the  
13 Chairman's certification, have been paid, on June 30, 1989,  
14 and on June 30 of each year thereafter, all amounts remaining  
15 in the Advance Account of the Illinois Sports Facilities Fund  
16 shall be transferred by the State Treasurer to the General  
17 Revenue Fund in the State Treasury.

18        For purposes of this Section, the term "Advance Amount"  
19 means, for fiscal year 2002, \$22,179,000, and for subsequent  
20 fiscal years through fiscal year 2033, 105.615% of the Advance  
21 Amount for the immediately preceding fiscal year, rounded up  
22 to the nearest \$1,000.

23        (Source: P.A. 102-16, Article 2, Section 2-5, eff. 6-17-21;  
24 102-16, Article 6, Section 6-5, eff. 6-17-21; revised  
25 7-17-21.)

1 Section 35. The Illinois Procurement Code is amended by  
2 changing Sections 35-30 and 50-85 as follows:

3 (30 ILCS 500/35-30)

4 (Text of Section before amendment by P.A. 101-657, Article  
5 40, Section 40-125)

6 Sec. 35-30. Awards.

7 (a) All State contracts for professional and artistic  
8 services, except as provided in this Section, shall be awarded  
9 using the competitive request for proposal process outlined in  
10 this Section. The scoring for requests for proposals shall  
11 include the commitment to diversity factors and methodology  
12 described in subsection (e-5) of Section 20-15.

13 (b) For each contract offered, the chief procurement  
14 officer, State purchasing officer, or his or her designee  
15 shall use the appropriate standard solicitation forms  
16 available from the chief procurement officer for matters other  
17 than construction or the higher education chief procurement  
18 officer.

19 (c) Prepared forms shall be submitted to the chief  
20 procurement officer for matters other than construction or the  
21 higher education chief procurement officer, whichever is  
22 appropriate, for publication in its Illinois Procurement  
23 Bulletin and circulation to the chief procurement officer for  
24 matters other than construction or the higher education chief  
25 procurement officer's list of prequalified vendors. Notice of

1 the offer or request for proposal shall appear at least 14  
2 calendar days before the response to the offer is due.

3 (d) All interested respondents shall return their  
4 responses to the chief procurement officer for matters other  
5 than construction or the higher education chief procurement  
6 officer, whichever is appropriate, which shall open and record  
7 them. The chief procurement officer for matters other than  
8 construction or higher education chief procurement officer  
9 then shall forward the responses, together with any  
10 information it has available about the qualifications and  
11 other State work of the respondents.

12 (e) After evaluation, ranking, and selection, the  
13 responsible chief procurement officer, State purchasing  
14 officer, or his or her designee shall notify the chief  
15 procurement officer for matters other than construction or the  
16 higher education chief procurement officer, whichever is  
17 appropriate, of the successful respondent and shall forward a  
18 copy of the signed contract for the chief procurement officer  
19 for matters other than construction or higher education chief  
20 procurement officer's file. The chief procurement officer for  
21 matters other than construction or higher education chief  
22 procurement officer shall publish the names of the responsible  
23 procurement decision-maker, the agency letting the contract,  
24 the successful respondent, a contract reference, and value of  
25 the let contract in the next appropriate volume of the  
26 Illinois Procurement Bulletin.



1           (f) For all professional and artistic contracts with  
2 annualized value that exceeds \$100,000, evaluation and ranking  
3 by price are required. Any chief procurement officer or State  
4 purchasing officer, but not their designees, may select a  
5 respondent other than the lowest respondent by price. In any  
6 case, when the contract exceeds the \$100,000 threshold and the  
7 lowest respondent is not selected, the chief procurement  
8 officer or the State purchasing officer shall forward together  
9 with the contract notice of who the low respondent by price was  
10 and a written decision as to why another was selected to the  
11 chief procurement officer for matters other than construction  
12 or the higher education chief procurement officer, whichever  
13 is appropriate. The chief procurement officer for matters  
14 other than construction or higher education chief procurement  
15 officer shall publish as provided in subsection (e) of Section  
16 35-30, but shall include notice of the chief procurement  
17 officer's or State purchasing officer's written decision.

18           (g) The chief procurement officer for matters other than  
19 construction and higher education chief procurement officer  
20 may each refine, but not contradict, this Section by  
21 promulgating rules for submission to the Procurement Policy  
22 Board and then to the Joint Committee on Administrative Rules.  
23 Any refinement shall be based on the principles and procedures  
24 of the federal Architect-Engineer Selection Law, Public Law  
25 92-582 Brooks Act, and the Architectural, Engineering, and  
26 Land Surveying Qualifications Based Selection Act; except that

1 pricing shall be an integral part of the selection process.  
2 (Source: P.A. 100-43, eff. 8-9-17; 101-657, Article 5, Section  
3 5-5, eff. 7-1-21 (See Section 25 of P.A. 102-29 for effective  
4 date of P.A. 101-657, Article 5, Section 5-5).)

5 (Text of Section after amendment by P.A. 101-657, Article  
6 40, Section 40-125)

7 Sec. 35-30. Awards.

8 (a) All State contracts for professional and artistic  
9 services, except as provided in this Section, shall be awarded  
10 using the competitive request for proposal process outlined in  
11 this Section. The scoring for requests for proposals shall  
12 include the commitment to diversity factors and methodology  
13 described in subsection (e-5) of Section 20-15.

14 (b) For each contract offered, the chief procurement  
15 officer, State purchasing officer, or his or her designee  
16 shall use the appropriate standard solicitation forms  
17 available from the chief procurement officer for matters other  
18 than construction or the higher education chief procurement  
19 officer.

20 (c) Prepared forms shall be submitted to the chief  
21 procurement officer for matters other than construction or the  
22 higher education chief procurement officer, whichever is  
23 appropriate, for publication in its Illinois Procurement  
24 Bulletin and circulation to the chief procurement officer for  
25 matters other than construction or the higher education chief

1 procurement officer's list of prequalified vendors. Notice of  
2 the offer or request for proposal shall appear at least 14  
3 calendar days before the response to the offer is due.

4 (d) All interested respondents shall return their  
5 responses to the chief procurement officer for matters other  
6 than construction or the higher education chief procurement  
7 officer, whichever is appropriate, which shall open and record  
8 them. The chief procurement officer for matters other than  
9 construction or higher education chief procurement officer  
10 then shall forward the responses, together with any  
11 information it has available about the qualifications and  
12 other State work of the respondents.

13 (e) After evaluation, ranking, and selection, the  
14 responsible chief procurement officer, State purchasing  
15 officer, or his or her designee shall notify the chief  
16 procurement officer for matters other than construction or the  
17 higher education chief procurement officer, whichever is  
18 appropriate, of the successful respondent and shall forward a  
19 copy of the signed contract for the chief procurement officer  
20 for matters other than construction or higher education chief  
21 procurement officer's file. The chief procurement officer for  
22 matters other than construction or higher education chief  
23 procurement officer shall publish the names of the responsible  
24 procurement decision-maker, the agency letting the contract,  
25 the successful respondent, a contract reference, and value of  
26 the let contract in the next appropriate volume of the

1 Illinois Procurement Bulletin.

2 (f) For all professional and artistic contracts with  
3 annualized value that exceeds \$100,000, evaluation and ranking  
4 by price are required. Any chief procurement officer or State  
5 purchasing officer, but not their designees, may select a  
6 respondent other than the lowest respondent by price. In any  
7 case, when the contract exceeds the \$100,000 threshold and the  
8 lowest respondent is not selected, the chief procurement  
9 officer or the State purchasing officer shall forward together  
10 with the contract notice of who the low respondent by price was  
11 and a written decision as to why another was selected to the  
12 chief procurement officer for matters other than construction  
13 or the higher education chief procurement officer, whichever  
14 is appropriate. The chief procurement officer for matters  
15 other than construction or higher education chief procurement  
16 officer shall publish as provided in subsection (e) of Section  
17 35-30, but shall include notice of the chief procurement  
18 officer's or State purchasing officer's written decision.

19 (g) The chief procurement officer for matters other than  
20 construction and higher education chief procurement officer  
21 may each refine, but not contradict, this Section by  
22 promulgating rules for submission to the Procurement Policy  
23 Board and the Commission on Equity and Inclusion and then to  
24 the Joint Committee on Administrative Rules. Any refinement  
25 shall be based on the principles and procedures of the federal  
26 Architect-Engineer Selection Law, Public Law 92-582 Brooks

1 Act, and the Architectural, Engineering, and Land Surveying  
2 Qualifications Based Selection Act; except that pricing shall  
3 be an integral part of the selection process.

4 (Source: P.A. 100-43, eff. 8-9-17; 101-657, Article 5, Section  
5 5-5, eff. 7-1-21 (See Section 25 of P.A. 102-29 for effective  
6 date of P.A. 101-657, Article 5, Section 5-5); 101-657,  
7 Article 40, Section 40-125, eff. 1-1-22; revised 7-13-21.)

8 (30 ILCS 500/50-85)

9 Sec. 50-85. Diversity training. ~~(a)~~ Each chief procurement  
10 officer, State purchasing officer, procurement compliance  
11 monitor, applicable support staff of each chief procurement  
12 officer, State agency purchasing and contracting staff, those  
13 identified under subsection (c) of Section 5-45 of the State  
14 Officials and Employees Ethics Act who have the authority to  
15 participate personally and substantially in the award of State  
16 contracts, and any other State agency staff with substantial  
17 procurement and contracting responsibilities as determined by  
18 the chief procurement officer, in consultation with the State  
19 agency, shall complete annual training for diversity and  
20 inclusion. Each chief procurement officer shall prescribe the  
21 program of diversity and inclusion training appropriate for  
22 each chief procurement officer's jurisdiction.

23 (Source: P.A. 101-657, eff. 7-1-21 (See Section 25 of P.A.  
24 102-29 for effective date of P.A. 101-657, Article 5, Section  
25 5-5); revised 7-23-21.)

1 Section 40. The Commission on Equity and Inclusion Act is  
2 amended by changing Section 40-1 as follows:

3 (30 ILCS 574/40-1)

4 (This Section may contain text from a Public Act with a  
5 delayed effective date)

6 Sec. 40-1. Short title. This Article ~~Act~~ may be cited as  
7 the Commission on Equity and Inclusion Act. References in this  
8 Article to "this Act" mean this Article.

9 (Source: P.A. 101-657, eff. 1-1-22; revised 7-16-21.)

10 Section 45. The Illinois Income Tax Act is amended by  
11 changing Sections 211 and 905 as follows:

12 (35 ILCS 5/211)

13 Sec. 211. Economic Development for a Growing Economy Tax  
14 Credit. For tax years beginning on or after January 1, 1999, a  
15 Taxpayer who has entered into an Agreement (including a New  
16 Construction EDGE Agreement) under the Economic Development  
17 for a Growing Economy Tax Credit Act is entitled to a credit  
18 against the taxes imposed under subsections (a) and (b) of  
19 Section 201 of this Act in an amount to be determined in the  
20 Agreement. If the Taxpayer is a partnership or Subchapter S  
21 corporation, the credit shall be allowed to the partners or  
22 shareholders in accordance with the determination of income

1 and distributive share of income under Sections 702 and 704  
2 and subchapter S of the Internal Revenue Code. The Department,  
3 in cooperation with the Department of Commerce and Economic  
4 Opportunity, shall prescribe rules to enforce and administer  
5 the provisions of this Section. This Section is exempt from  
6 the provisions of Section 250 of this Act.

7 The credit shall be subject to the conditions set forth in  
8 the Agreement and the following limitations:

9 (1) The tax credit shall not exceed the Incremental  
10 Income Tax (as defined in Section 5-5 of the Economic  
11 Development for a Growing Economy Tax Credit Act) with  
12 respect to the project; additionally, the New Construction  
13 EDGE Credit shall not exceed the New Construction EDGE  
14 Incremental Income Tax (as defined in Section 5-5 of the  
15 Economic Development for a Growing Economy Tax Credit  
16 Act).

17 (2) The amount of the credit allowed during the tax  
18 year plus the sum of all amounts allowed in prior years  
19 shall not exceed 100% of the aggregate amount expended by  
20 the Taxpayer during all prior tax years on approved costs  
21 defined by Agreement.

22 (3) The amount of the credit shall be determined on an  
23 annual basis. Except as applied in a carryover year  
24 pursuant to Section 211(4) of this Act, the credit may not  
25 be applied against any State income tax liability in more  
26 than 10 taxable years; provided, however, that (i) an

1 eligible business certified by the Department of Commerce  
2 and Economic Opportunity under the Corporate Headquarters  
3 Relocation Act may not apply the credit against any of its  
4 State income tax liability in more than 15 taxable years  
5 and (ii) credits allowed to that eligible business are  
6 subject to the conditions and requirements set forth in  
7 Sections 5-35 and 5-45 of the Economic Development for a  
8 Growing Economy Tax Credit Act and Section 5-51 as  
9 applicable to New Construction EDGE Credits.

10 (4) The credit may not exceed the amount of taxes  
11 imposed pursuant to subsections (a) and (b) of Section 201  
12 of this Act. Any credit that is unused in the year the  
13 credit is computed may be carried forward and applied to  
14 the tax liability of the 5 taxable years following the  
15 excess credit year, except as otherwise provided under  
16 paragraph (4.5) of this Section. The credit shall be  
17 applied to the earliest year for which there is a tax  
18 liability. If there are credits from more than one tax  
19 year that are available to offset a liability, the earlier  
20 credit shall be applied first.

21 (4.5) The Department of Commerce and Economic  
22 Opportunity, in consultation with the Department of  
23 Revenue, shall adopt rules to extend the sunset of any  
24 earned, existing, or unused credit as provided for in  
25 Section 605-1055 of the Department of Commerce and  
26 Economic Opportunity Law of the Civil Administrative Code



1 of Illinois.

2 (5) No credit shall be allowed with respect to any  
3 Agreement for any taxable year ending after the  
4 Noncompliance Date. Upon receiving notification by the  
5 Department of Commerce and Economic Opportunity of the  
6 noncompliance of a Taxpayer with an Agreement, the  
7 Department shall notify the Taxpayer that no credit is  
8 allowed with respect to that Agreement for any taxable  
9 year ending after the Noncompliance Date, as stated in  
10 such notification. If any credit has been allowed with  
11 respect to an Agreement for a taxable year ending after  
12 the Noncompliance Date for that Agreement, any refund paid  
13 to the Taxpayer for that taxable year shall, to the extent  
14 of that credit allowed, be an erroneous refund within the  
15 meaning of Section 912 of this Act.

16 If, during any taxable year, a taxpayer ceases  
17 operations at a project location that is the subject of  
18 that Agreement with the intent to terminate operations in  
19 the State, the tax imposed under subsections (a) and (b)  
20 of Section 201 of this Act for such taxable year shall be  
21 increased by the amount of any credit allowed under the  
22 Agreement for that project location prior to the date the  
23 taxpayer ceases operations.

24 (6) For purposes of this Section, the terms  
25 "Agreement", "Incremental Income Tax", "New Construction  
26 EDGE Agreement", "New Construction EDGE Credit", "New

1 Construction EDGE Incremental Income Tax", and  
2 "Noncompliance Date" have the same meaning as when used in  
3 the Economic Development for a Growing Economy Tax Credit  
4 Act.

5 (Source: P.A. 101-9, eff. 6-5-19; 102-16, eff. 6-17-21;  
6 102-40, eff. 6-25-21; revised 7-15-21.)

7 (35 ILCS 5/905) (from Ch. 120, par. 9-905)

8 Sec. 905. Limitations on notices of deficiency.

9 (a) In general. Except as otherwise provided in this Act:

10 (1) A notice of deficiency shall be issued not later  
11 than 3 years after the date the return was filed, and

12 (2) No deficiency shall be assessed or collected with  
13 respect to the year for which the return was filed unless  
14 such notice is issued within such period.

15 (a-5) Notwithstanding any other provision of this Act to  
16 the contrary, for any taxable year included in a claim for  
17 credit or refund for which the statute of limitations for  
18 issuing a notice of deficiency under this Act will expire less  
19 than 6 months after the date a taxpayer files the claim for  
20 credit or refund, the statute of limitations is automatically  
21 extended for 6 months from the date it would have otherwise  
22 expired.

23 (b) Substantial omission of items.

24 (1) Omission of more than 25% of income. If the  
25 taxpayer omits from base income an amount properly

1 includible therein which is in excess of 25% of the amount  
2 of base income stated in the return, a notice of  
3 deficiency may be issued not later than 6 years after the  
4 return was filed. For purposes of this paragraph, there  
5 shall not be taken into account any amount which is  
6 omitted in the return if such amount is disclosed in the  
7 return, or in a statement attached to the return, in a  
8 manner adequate to apprise the Department of the nature  
9 and the amount of such item.

10 (2) Reportable transactions. If a taxpayer fails to  
11 include on any return or statement for any taxable year  
12 any information with respect to a reportable transaction,  
13 as required under Section 501(b) of this Act, a notice of  
14 deficiency may be issued not later than 6 years after the  
15 return is filed with respect to the taxable year in which  
16 the taxpayer participated in the reportable transaction  
17 and said deficiency is limited to the non-disclosed item.

18 (3) Withholding. If an employer omits from a return  
19 required under Section 704A of this Act for any period  
20 beginning on or after January 1, 2013, an amount required  
21 to be withheld and to be reported on that return which is  
22 in excess of 25% of the total amount of withholding  
23 required to be reported on that return, a notice of  
24 deficiency may be issued not later than 6 years after the  
25 return was filed.

26 (c) No return or fraudulent return. If no return is filed

1 or a false and fraudulent return is filed with intent to evade  
2 the tax imposed by this Act, a notice of deficiency may be  
3 issued at any time. For purposes of this subsection (c), any  
4 taxpayer who is required to join in the filing of a return  
5 filed under the provisions of subsection (e) of Section 502 of  
6 this Act for a taxable year ending on or after December 31,  
7 2013 and who is not included on that return and does not file  
8 its own return for that taxable year shall be deemed to have  
9 failed to file a return; provided that the amount of any  
10 proposed assessment set forth in a notice of deficiency issued  
11 under this subsection (c) shall be limited to the amount of any  
12 increase in liability under this Act that should have reported  
13 on the return required under the provisions of subsection (e)  
14 of Section 502 of this Act for that taxable year resulting from  
15 proper inclusion of that taxpayer on that return.

16 (d) Failure to report federal change. If a taxpayer fails  
17 to notify the Department in any case where notification is  
18 required by Section 304(c) or 506(b), or fails to report a  
19 change or correction which is treated in the same manner as if  
20 it were a deficiency for federal income tax purposes, a notice  
21 of deficiency may be issued (i) at any time or (ii) on or after  
22 August 13, 1999, at any time for the taxable year for which the  
23 notification is required or for any taxable year to which the  
24 taxpayer may carry an Article 2 credit, or a Section 207 loss,  
25 earned, incurred, or used in the year for which the  
26 notification is required; provided, however, that the amount

1 of any proposed assessment set forth in the notice shall be  
2 limited to the amount of any deficiency resulting under this  
3 Act from the recomputation of the taxpayer's net income,  
4 Article 2 credits, or Section 207 loss earned, incurred, or  
5 used in the taxable year for which the notification is  
6 required after giving effect to the item or items required to  
7 be reported.

8 (e) Report of federal change.

9 (1) Before August 13, 1999, in any case where  
10 notification of an alteration is given as required by  
11 Section 506(b), a notice of deficiency may be issued at  
12 any time within 2 years after the date such notification  
13 is given, provided, however, that the amount of any  
14 proposed assessment set forth in such notice shall be  
15 limited to the amount of any deficiency resulting under  
16 this Act from recomputation of the taxpayer's net income,  
17 net loss, or Article 2 credits for the taxable year after  
18 giving effect to the item or items reflected in the  
19 reported alteration.

20 (2) On and after August 13, 1999, in any case where  
21 notification of an alteration is given as required by  
22 Section 506(b), a notice of deficiency may be issued at  
23 any time within 2 years after the date such notification  
24 is given for the taxable year for which the notification  
25 is given or for any taxable year to which the taxpayer may  
26 carry an Article 2 credit, or a Section 207 loss, earned,

1 incurred, or used in the year for which the notification  
2 is given, provided, however, that the amount of any  
3 proposed assessment set forth in such notice shall be  
4 limited to the amount of any deficiency resulting under  
5 this Act from recomputation of the taxpayer's net income,  
6 Article 2 credits, or Section 207 loss earned, incurred,  
7 or used in the taxable year for which the notification is  
8 given after giving effect to the item or items reflected  
9 in the reported alteration.

10 (f) Extension by agreement. Where, before the expiration  
11 of the time prescribed in this Section for the issuance of a  
12 notice of deficiency, both the Department and the taxpayer  
13 shall have consented in writing to its issuance after such  
14 time, such notice may be issued at any time prior to the  
15 expiration of the period agreed upon. In the case of a taxpayer  
16 who is a partnership, Subchapter S corporation, or trust and  
17 who enters into an agreement with the Department pursuant to  
18 this subsection on or after January 1, 2003, a notice of  
19 deficiency may be issued to the partners, shareholders, or  
20 beneficiaries of the taxpayer at any time prior to the  
21 expiration of the period agreed upon. Any proposed assessment  
22 set forth in the notice, however, shall be limited to the  
23 amount of any deficiency resulting under this Act from  
24 recomputation of items of income, deduction, credits, or other  
25 amounts of the taxpayer that are taken into account by the  
26 partner, shareholder, or beneficiary in computing its

1 liability under this Act. The period so agreed upon may be  
2 extended by subsequent agreements in writing made before the  
3 expiration of the period previously agreed upon.

4 (g) Erroneous refunds. In any case in which there has been  
5 an erroneous refund of tax payable under this Act, a notice of  
6 deficiency may be issued at any time within 2 years from the  
7 making of such refund, or within 5 years from the making of  
8 such refund if it appears that any part of the refund was  
9 induced by fraud or the misrepresentation of a material fact,  
10 provided, however, that the amount of any proposed assessment  
11 set forth in such notice shall be limited to the amount of such  
12 erroneous refund.

13 Beginning July 1, 1993, in any case in which there has been  
14 a refund of tax payable under this Act attributable to a net  
15 loss carryback as provided for in Section 207, and that refund  
16 is subsequently determined to be an erroneous refund due to a  
17 reduction in the amount of the net loss which was originally  
18 carried back, a notice of deficiency for the erroneous refund  
19 amount may be issued at any time during the same time period in  
20 which a notice of deficiency can be issued on the loss year  
21 creating the carryback amount and subsequent erroneous refund.  
22 The amount of any proposed assessment set forth in the notice  
23 shall be limited to the amount of such erroneous refund.

24 (h) Time return deemed filed. For purposes of this Section  
25 a tax return filed before the last day prescribed by law  
26 (including any extension thereof) shall be deemed to have been

1 filed on such last day.

2 (i) Request for prompt determination of liability. For  
3 purposes of subsection (a)(1), in the case of a tax return  
4 required under this Act in respect of a decedent, or by his  
5 estate during the period of administration, or by a  
6 corporation, the period referred to in such Subsection shall  
7 be 18 months after a written request for prompt determination  
8 of liability is filed with the Department (at such time and in  
9 such form and manner as the Department shall by regulations  
10 prescribe) by the executor, administrator, or other fiduciary  
11 representing the estate of such decedent, or by such  
12 corporation, but not more than 3 years after the date the  
13 return was filed. This subsection shall not apply in the case  
14 of a corporation unless:

15 (1) (A) such written request notifies the Department  
16 that the corporation contemplates dissolution at or before  
17 the expiration of such 18-month period, (B) the  
18 dissolution is begun in good faith before the expiration  
19 of such 18-month period, and (C) the dissolution is  
20 completed;

21 (2) (A) such written request notifies the Department  
22 that a dissolution has in good faith been begun, and (B)  
23 the dissolution is completed; or

24 (3) a dissolution has been completed at the time such  
25 written request is made.

26 (j) Withholding tax. In the case of returns required under



1 Article 7 of this Act (with respect to any amounts withheld as  
2 tax or any amounts required to have been withheld as tax) a  
3 notice of deficiency shall be issued not later than 3 years  
4 after the 15th day of the 4th month following the close of the  
5 calendar year in which such withholding was required.

6 (k) Penalties for failure to make information reports. A  
7 notice of deficiency for the penalties provided by Subsection  
8 1405.1(c) of this Act may not be issued more than 3 years after  
9 the due date of the reports with respect to which the penalties  
10 are asserted.

11 (l) Penalty for failure to file withholding returns. A  
12 notice of deficiency for penalties provided by Section 1004 of  
13 this Act for the taxpayer's failure to file withholding  
14 returns may not be issued more than three years after the 15th  
15 day of the 4th month following the close of the calendar year  
16 in which the withholding giving rise to the taxpayer's  
17 obligation to file those returns occurred.

18 (m) Transferee liability. A notice of deficiency may be  
19 issued to a transferee relative to a liability asserted under  
20 Section 1405 during time periods defined as follows:

21 (1) ~~1~~ Initial Transferee. In the case of the  
22 liability of an initial transferee, up to 2 years after  
23 the expiration of the period of limitation for assessment  
24 against the transferor, except that if a court proceeding  
25 for review of the assessment against the transferor has  
26 begun, then up to 2 years after the return of the certified

1 copy of the judgment in the court proceeding.

2 (2) ~~2~~ Transferee of Transferee. In the case of the  
3 liability of a transferee, up to 2 years after the  
4 expiration of the period of limitation for assessment  
5 against the preceding transferee, but not more than 3  
6 years after the expiration of the period of limitation for  
7 assessment against the initial transferor; except that if,  
8 before the expiration of the period of limitation for the  
9 assessment of the liability of the transferee, a court  
10 proceeding for the collection of the tax or liability in  
11 respect thereof has been begun against the initial  
12 transferor or the last preceding transferee, as the case  
13 may be, then the period of limitation for assessment of  
14 the liability of the transferee shall expire 2 years after  
15 the return of the certified copy of the judgment in the  
16 court proceeding.

17 (n) Notice of decrease in net loss. On and after August 23,  
18 2002, no notice of deficiency shall be issued as the result of  
19 a decrease determined by the Department in the net loss  
20 incurred by a taxpayer in any taxable year ending prior to  
21 December 31, 2002 under Section 207 of this Act unless the  
22 Department has notified the taxpayer of the proposed decrease  
23 within 3 years after the return reporting the loss was filed or  
24 within one year after an amended return reporting an increase  
25 in the loss was filed, provided that in the case of an amended  
26 return, a decrease proposed by the Department more than 3

1 years after the original return was filed may not exceed the  
2 increase claimed by the taxpayer on the original return.

3 (Source: P.A. 102-40, eff. 6-25-21; revised 8-3-21.)

4 Section 50. The Local Government Revenue Recapture Act is  
5 amended by changing Sections 5-20 and 10-30 as follows:

6 (50 ILCS 355/5-20)

7 Sec. 5-20. Retention, collection, disclosure, and  
8 destruction of financial information.

9 (a) A third party in possession of a taxpayer's financial  
10 information must permanently destroy that financial  
11 information pursuant to this Act. The financial information  
12 shall be destroyed upon the soonest of the following to occur:

13 (1) if the taxpayer is not referred to the Department,  
14 within 30 days after receipt of the taxpayer's financial  
15 information from either the municipality or county, unless  
16 the third party is monitoring disbursements from the  
17 Department on an ongoing basis for a municipality or  
18 county, in which case, the financial information shall be  
19 destroyed no later than 3 years after receipt; or

20 (2) within 30 days after the Department receives a  
21 taxpayer audit referral from a third party referring the  
22 taxpayer to the Department for additional review.

23 (b) No third party in possession of financial information  
24 may sell, lease, trade, market, or otherwise utilize or profit

1 from a taxpayer's financial information. The municipality or  
2 county may, however, negotiate a fee with the third party. The  
3 fee may be in the form of a contingency fee for a percentage of  
4 the amount of additional distributions the municipality or  
5 county receives for no more than 3 years following the first  
6 disbursement to the municipality or county as a result of the  
7 services of the third party under this Act.

8 (c) No third party may permanently or temporarily collect,  
9 capture, purchase, use, receive through trade, or otherwise  
10 retain a taxpayer's financial information beyond the scope of  
11 subsection (a) of this Section.

12 (d) No third party in possession of confidential  
13 information may disclose, redisclose, share, or otherwise  
14 disseminate a taxpayer's financial information.

15 (e) A third party must dispose of the materials containing  
16 financial information in a manner that renders the financial  
17 information unreadable, unusable, and undecipherable. Proper  
18 disposal methods include, but are not limited to, the  
19 following:

20 (1) in the case of paper documents, burning,  
21 pulverizing, or shredding so that the information cannot  
22 practicably be read or reconstructed; and

23 (2) in the case of electronic media and other  
24 non-paper media containing information, destroying or  
25 erasing so that information cannot practicably be read,  
26 reconstructed, or otherwise utilized by the third party or

1 others.

2 (Source: P.A. 101-628, eff. 6-1-20; 102-40, eff. 6-25-21;  
3 revised 8-3-21.)

4 (50 ILCS 355/10-30)

5 Sec. 10-30. Local government revenue recapture audit  
6 referral.

7 (a) A third party shall not refer a taxpayer to the  
8 Department for audit consideration unless the third party is  
9 registered with the Department pursuant to Section 5-35.

10 (b) If, based on a review of the financial information  
11 provided by the Department to a municipality or county, or  
12 provided by a municipality or county to a registered third  
13 party, the municipality or county discovers that a taxpayer  
14 may have underpaid local retailers' or service occupation  
15 taxes, then it may refer the matter to the Department for audit  
16 consideration. The tax compliance referral may be made only by  
17 the municipality, county, or third party and shall be made in  
18 the form and manner required by the Department, including any  
19 requirement that the referral be submitted electronically. The  
20 tax compliance referral shall, at a minimum, include proof of  
21 registration as a third party, a copy of a contract between the  
22 third party and the county or municipality, the taxpayer's  
23 name, Department account identification number, mailing  
24 address, and business location, and the specific reason for  
25 the tax compliance referral, including as much detail as

1 possible.

2 (c) The Department shall complete its evaluation of all  
3 audit referrals under this Act within 90 days after receipt of  
4 the referral and shall handle all audit referrals as follows:

5 (1) the Department shall evaluate the referral to  
6 determine whether it is sufficient to warrant further  
7 action based on the information provided in the referral,  
8 any other information the Department possesses, and audit  
9 selection procedures of the Department;

10 (2) if the Department determines that the referral is  
11 not actionable, then the Department shall notify the local  
12 government that it has evaluated the referral and has  
13 determined that no action is deemed necessary and provide  
14 the local government with an explanation for that  
15 decision, including, but not limited to, an explanation  
16 that (i) the Department has previously conducted an audit;  
17 (ii) the Department is in the process of conducting an  
18 investigation or other examination of the taxpayer's  
19 records; (iii) the taxpayer has already been referred to  
20 the Department and the Department determined an audit  
21 referral is not actionable; (iv) the Department or a  
22 qualified practitioner has previously conducted an audit  
23 after referral under this Section 10-30; or (v) for just  
24 cause;

25 (3) if the Department determines that the referral is  
26 actionable, then it shall determine whether the taxpayer

1 is currently under audit or scheduled for audit by the  
2 Department;

3 (A) if the taxpayer is not currently under audit  
4 by the Department or scheduled for audit by the  
5 Department, the Department shall determine whether it  
6 will schedule the taxpayer for audit; and

7 (B) if the taxpayer is not under audit by the  
8 Department and the Department decides under  
9 subparagraph (A) not to schedule the taxpayer for  
10 audit by the Department, then the Department shall  
11 notify the taxpayer that the Department has received  
12 an actionable audit referral on the taxpayer and issue  
13 a notice to the taxpayer as provided under subsection  
14 (d) of this Section.

15 (d) The notice to the taxpayer required by subparagraph  
16 (B) of paragraph (3) of subsection (c) shall include, but not  
17 be limited to, the following:

18 (1) that the taxpayer must either: (A) engage a  
19 qualified practitioner, at the taxpayer's expense, to  
20 complete a certified audit, limited in scope to the  
21 taxpayer's Retailers' Occupation Tax, Use Tax, Service  
22 Occupation Tax, or Service Use Tax liability, and the  
23 taxpayer's liability for any local retailers' or service  
24 occupation tax administered by the Department; or (B) be  
25 subject to audit by the Department;

26 (2) that, as an incentive, for taxpayers who agree to

1 the limited-scope certified audit, the Department shall  
2 abate penalties as provided in Section 10-20; and

3 (3) A statement that reads: "[INSERT THE NAME OF THE  
4 ELECTED CHIEF EXECUTIVE OF THE CORPORATE AUTHORITY] has  
5 contracted with [INSERT THIRD PARTY] to review your  
6 Retailers' Occupation Tax, Use Tax, Service Occupation  
7 Tax, Service Use Tax, and any local retailers' or service  
8 occupation taxes reported to the Illinois Department of  
9 Revenue ("Department"). [INSERT THE NAME OF THE ELECTED  
10 CHIEF EXECUTIVE OF THE CORPORATE AUTHORITY] and [INSERT  
11 THE THIRD PARTY] have selected and referred your business  
12 to the Department for a certified audit of your Retailers'  
13 Occupation Tax, Use Tax, Service Occupation Tax, Service  
14 Use Tax, and any local retailers' or service occupation  
15 taxes reported to the Department pursuant to the Local  
16 Government Revenue Recapture Act. The purpose of the audit  
17 is to verify that your business reported and submitted the  
18 proper Retailers' Occupation Tax, Use Tax, Service  
19 Occupation Tax, Service Use Tax, and any local retailers'  
20 or service occupation taxes administered by the  
21 Department. The Department is required to disclose your  
22 confidential financial information to [INSERT THE NAME OF  
23 THE ELECTED CHIEF EXECUTIVE OF THE CORPORATE AUTHORITY]  
24 and [INSERT THE THIRD PARTY]. Additional information can  
25 be accessed from the Department's website and publications  
26 for a basic overview of your rights as a Taxpayer. If you



1 have questions regarding your business's referral to the  
2 Department for audit, please contact [CORPORATE  
3 AUTHORITY'S] mayor, village president, or any other person  
4 serving as [CORPORATE AUTHORITY'S] chief executive officer  
5 or chief financial officer. [INSERT THIRD PARTY] is  
6 prohibited from discussing this matter with you directly  
7 or indirectly in any manner regardless of who initiates  
8 the contact. If [INSERT THIRD PARTY] contacts you, please  
9 contact the Department."

10 (e) Within 90 days after notice by the Department, the  
11 taxpayer must respond by stating in writing whether it will or  
12 will not arrange for the performance of a certified audit  
13 under this Act. If the taxpayer states that it will arrange for  
14 the performance of a certified audit, then it must do so within  
15 60 days after responding to the Department or within 90 days  
16 after notice by the Department, whichever comes first. If the  
17 taxpayer states that it will not arrange for the performance  
18 of a certified audit or if the taxpayer does not arrange for  
19 the performance of a certified audit within 180 days after  
20 notice by the Department, then the Department may schedule the  
21 taxpayer for audit by the Department.

22 (f) The certified audit must not be a contingent-fee  
23 engagement and must be completed in accordance with this  
24 Article 10.

25 (Source: P.A. 101-628, eff. 6-1-20; 102-40, eff. 6-25-21;  
26 revised 8-3-21.)

1           Section 55. The Illinois Police Training Act is amended by  
2 changing Section 6 as follows:

3           (50 ILCS 705/6) (from Ch. 85, par. 506)

4           (Text of Section before amendment by P.A. 101-652)

5           Sec. 6. Powers and duties of the Board; selection and  
6 certification of schools. The Board shall select and certify  
7 schools within the State of Illinois for the purpose of  
8 providing basic training for probationary police officers,  
9 probationary county corrections officers, and court security  
10 officers and of providing advanced or in-service training for  
11 permanent police officers or permanent county corrections  
12 officers, which schools may be either publicly or privately  
13 owned and operated. In addition, the Board has the following  
14 power and duties:

15           a. To require local governmental units to furnish such  
16 reports and information as the Board deems necessary to  
17 fully implement this Act.

18           b. To establish appropriate mandatory minimum  
19 standards relating to the training of probationary local  
20 law enforcement officers or probationary county  
21 corrections officers, and in-service training of permanent  
22 police officers.

23           c. To provide appropriate certification to those  
24 probationary officers who successfully complete the

1 prescribed minimum standard basic training course.

2 d. To review and approve annual training curriculum  
3 for county sheriffs.

4 e. To review and approve applicants to ensure that no  
5 applicant is admitted to a certified academy unless the  
6 applicant is a person of good character and has not been  
7 convicted of, or entered a plea of guilty to, a felony  
8 offense, any of the misdemeanors in Sections 11-1.50,  
9 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,  
10 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7  
11 of the Criminal Code of 1961 or the Criminal Code of 2012,  
12 subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the  
13 Criminal Code of 1961 or the Criminal Code of 2012, or  
14 subsection (a) of Section 17-32 of the Criminal Code of  
15 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of  
16 the Cannabis Control Act, or a crime involving moral  
17 turpitude under the laws of this State or any other state  
18 which if committed in this State would be punishable as a  
19 felony or a crime of moral turpitude. The Board may  
20 appoint investigators who shall enforce the duties  
21 conferred upon the Board by this Act.

22 (Source: P.A. 101-187, eff. 1-1-20.)

23 (Text of Section after amendment by P.A. 101-652, Article  
24 10, Section 10-143 but before amendment by P.A. 101-652,  
25 Article 25, Section 25-40)

1           Sec. 6. Powers and duties of the Board; selection and  
2 certification of schools. The Board shall select and certify  
3 schools within the State of Illinois for the purpose of  
4 providing basic training for probationary police officers,  
5 probationary county corrections officers, and court security  
6 officers and of providing advanced or in-service training for  
7 permanent police officers or permanent county corrections  
8 officers, which schools may be either publicly or privately  
9 owned and operated. In addition, the Board has the following  
10 power and duties:

11           a. To require local governmental units to furnish such  
12 reports and information as the Board deems necessary to  
13 fully implement this Act.

14           b. To establish appropriate mandatory minimum  
15 standards relating to the training of probationary local  
16 law enforcement officers or probationary county  
17 corrections officers, and in-service training of permanent  
18 police officers.

19           c. To provide appropriate certification to those  
20 probationary officers who successfully complete the  
21 prescribed minimum standard basic training course.

22           d. To review and approve annual training curriculum  
23 for county sheriffs.

24           e. To review and approve applicants to ensure that no  
25 applicant is admitted to a certified academy unless the  
26 applicant is a person of good character and has not been

1 convicted of, or entered a plea of guilty to, a felony  
2 offense, any of the misdemeanors in Sections 11-1.50,  
3 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,  
4 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7  
5 of the Criminal Code of 1961 or the Criminal Code of 2012,  
6 subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the  
7 Criminal Code of 1961 or the Criminal Code of 2012, or  
8 subsection (a) of Section 17-32 of the Criminal Code of  
9 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of  
10 the Cannabis Control Act, or a crime involving moral  
11 turpitude under the laws of this State or any other state  
12 which if committed in this State would be punishable as a  
13 felony or a crime of moral turpitude. The Board may  
14 appoint investigators who shall enforce the duties  
15 conferred upon the Board by this Act.

16 f. To establish statewide standards for minimum  
17 standards regarding regular mental health screenings for  
18 probationary and permanent police officers, ensuring that  
19 counseling sessions and screenings remain confidential.

20 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,  
21 Section 10-143, eff. 7-1-21.)

22 (Text of Section after amendment by P.A. 101-652, Article  
23 25, Section 25-40)

24 Sec. 6. Powers and duties of the Board; selection and  
25 certification of schools. The Board shall select and certify

1 schools within the State of Illinois for the purpose of  
2 providing basic training for probationary law enforcement  
3 officers, probationary county corrections officers, and court  
4 security officers and of providing advanced or in-service  
5 training for permanent law enforcement officers or permanent  
6 county corrections officers, which schools may be either  
7 publicly or privately owned and operated. In addition, the  
8 Board has the following power and duties:

9 a. To require local governmental units, to furnish  
10 such reports and information as the Board deems necessary  
11 to fully implement this Act.

12 b. To establish appropriate mandatory minimum  
13 standards relating to the training of probationary local  
14 law enforcement officers or probationary county  
15 corrections officers, and in-service training of permanent  
16 law enforcement officers.

17 c. To provide appropriate certification to those  
18 probationary officers who successfully complete the  
19 prescribed minimum standard basic training course.

20 d. To review and approve annual training curriculum  
21 for county sheriffs.

22 e. To review and approve applicants to ensure that no  
23 applicant is admitted to a certified academy unless the  
24 applicant is a person of good character and has not been  
25 convicted of, found guilty of, or entered a plea of guilty  
26 to, or entered a plea of nolo contendere to a felony

1 offense, any of the misdemeanors in Sections 11-1.50,  
2 11-6, 11-6.5, 11-6.6, 11-9.1, 11-14, 11-14.1, 11-30, 12-2,  
3 12-3.2, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3,  
4 28-3, 29-1, any misdemeanor in violation of any Section of  
5 Part E of Title III of the Criminal Code of 1961 or the  
6 Criminal Code of 2012, or subsection (a) of Section 17-32  
7 of the Criminal Code of 1961 or the Criminal Code of 2012,  
8 or Section 5 or 5.2 of the Cannabis Control Act, or a crime  
9 involving moral turpitude under the laws of this State or  
10 any other state which if committed in this State would be  
11 punishable as a felony or a crime of moral turpitude, or  
12 any felony or misdemeanor in violation of federal law or  
13 the law of any state that is the equivalent of any of the  
14 offenses specified therein. The Board may appoint  
15 investigators who shall enforce the duties conferred upon  
16 the Board by this Act.

17 For purposes of this paragraph e, a person is  
18 considered to have been convicted of, found guilty of, or  
19 entered a plea of guilty to, plea of nolo contendere to  
20 regardless of whether the adjudication of guilt or  
21 sentence is withheld or not entered thereon. This includes  
22 sentences of supervision, conditional discharge, or first  
23 offender probation, or any similar disposition provided  
24 for by law.

25 f. To establish statewide standards for minimum  
26 standards regarding regular mental health screenings for

1 probationary and permanent police officers, ensuring that  
2 counseling sessions and screenings remain confidential.

3 ~~f. For purposes of this paragraph (c), a person is~~  
4 ~~considered to have been "convicted of, found guilty of, or~~  
5 ~~entered a plea of guilty to, plea of nolo contendere to"~~  
6 ~~regardless of whether the adjudication of guilt or~~  
7 ~~sentence is withheld or not entered thereon. This includes~~  
8 ~~sentences of supervision, conditional discharge, or first~~  
9 ~~offender probation, or any similar disposition provided~~  
10 ~~for by law.~~

11 g. To review and ensure all law enforcement officers  
12 remain in compliance with this Act, and any administrative  
13 rules adopted under this Act.

14 h. To suspend any certificate for a definite period,  
15 limit or restrict any certificate, or revoke any  
16 certificate.

17 i. The Board and the Panel shall have power to secure  
18 by its subpoena and bring before it any person or entity in  
19 this State and to take testimony either orally or by  
20 deposition or both with the same fees and mileage and in  
21 the same manner as prescribed by law in judicial  
22 proceedings in civil cases in circuit courts of this  
23 State. The Board and the Panel shall also have the power to  
24 subpoena the production of documents, papers, files,  
25 books, documents, and records, whether in physical or  
26 electronic form, in support of the charges and for



1 defense, and in connection with a hearing or  
2 investigation.

3 j. The Executive Director, the administrative law  
4 judge designated by the Executive Director, and each  
5 member of the Board and the Panel shall have the power to  
6 administer oaths to witnesses at any hearing that the  
7 Board is authorized to conduct under this Act and any  
8 other oaths required or authorized to be administered by  
9 the Board under this Act.

10 k. In case of the neglect or refusal of any person to  
11 obey a subpoena issued by the Board and the Panel, any  
12 circuit court, upon application of the Board and the  
13 Panel, through the Illinois Attorney General, may order  
14 such person to appear before the Board and the Panel give  
15 testimony or produce evidence, and any failure to obey  
16 such order is punishable by the court as a contempt  
17 thereof. This order may be served by personal delivery, by  
18 email, or by mail to the address of record or email address  
19 of record.

20 l. The Board shall have the power to administer state  
21 certification examinations. Any and all records related to  
22 these examinations, including, but not limited to, test  
23 questions, test formats, digital files, answer responses,  
24 answer keys, and scoring information shall be exempt from  
25 disclosure.

26 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,

1 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section  
2 25-40, eff. 1-1-22; revised 4-26-21.)

3 Section 60. The Law Enforcement Officer-Worn Body Camera  
4 Act is amended by changing Section 10-20 as follows:

5 (50 ILCS 706/10-20)

6 Sec. 10-20. Requirements.

7 (a) The Board shall develop basic guidelines for the use  
8 of officer-worn body cameras by law enforcement agencies. The  
9 guidelines developed by the Board shall be the basis for the  
10 written policy which must be adopted by each law enforcement  
11 agency which employs the use of officer-worn body cameras. The  
12 written policy adopted by the law enforcement agency must  
13 include, at a minimum, all of the following:

14 (1) Cameras must be equipped with pre-event recording,  
15 capable of recording at least the 30 seconds prior to  
16 camera activation, unless the officer-worn body camera was  
17 purchased and acquired by the law enforcement agency prior  
18 to July 1, 2015.

19 (2) Cameras must be capable of recording for a period  
20 of 10 hours or more, unless the officer-worn body camera  
21 was purchased and acquired by the law enforcement agency  
22 prior to July 1, 2015.

23 (3) Cameras must be turned on at all times when the  
24 officer is in uniform and is responding to calls for

1 service or engaged in any law enforcement-related  
2 encounter or activity~~7~~ that occurs while the officer is on  
3 duty.

4 (A) If exigent circumstances exist which prevent  
5 the camera from being turned on, the camera must be  
6 turned on as soon as practicable.

7 (B) Officer-worn body cameras may be turned off  
8 when the officer is inside of a patrol car which is  
9 equipped with a functioning in-car camera; however,  
10 the officer must turn on the camera upon exiting the  
11 patrol vehicle for law enforcement-related encounters.

12 (C) Officer-worn body cameras may be turned off  
13 when the officer is inside a correctional facility or  
14 courthouse which is equipped with a functioning camera  
15 system.

16 (4) Cameras must be turned off when:

17 (A) the victim of a crime requests that the camera  
18 be turned off, and unless impractical or impossible,  
19 that request is made on the recording;

20 (B) a witness of a crime or a community member who  
21 wishes to report a crime requests that the camera be  
22 turned off, and unless impractical or impossible that  
23 request is made on the recording;

24 (C) the officer is interacting with a confidential  
25 informant used by the law enforcement agency; or

26 (D) an officer of the Department of Revenue enters

1           a Department of Revenue facility or conducts an  
2           interview during which return information will be  
3           discussed or visible.

4           However, an officer may continue to record or resume  
5           recording a victim or a witness, if exigent circumstances  
6           exist, or if the officer has reasonable articulable  
7           suspicion that a victim or witness, or confidential  
8           informant has committed or is in the process of committing  
9           a crime. Under these circumstances, and unless impractical  
10          or impossible, the officer must indicate on the recording  
11          the reason for continuing to record despite the request of  
12          the victim or witness.

13          (4.5) Cameras may be turned off when the officer is  
14          engaged in community caretaking functions. However, the  
15          camera must be turned on when the officer has reason to  
16          believe that the person on whose behalf the officer is  
17          performing a community caretaking function has committed  
18          or is in the process of committing a crime. If exigent  
19          circumstances exist which prevent the camera from being  
20          turned on, the camera must be turned on as soon as  
21          practicable.

22          (5) The officer must provide notice of recording to  
23          any person if the person has a reasonable expectation of  
24          privacy and proof of notice must be evident in the  
25          recording. If exigent circumstances exist which prevent  
26          the officer from providing notice, notice must be provided

1 as soon as practicable.

2 (6) (A) For the purposes of redaction, labeling, or  
3 duplicating recordings, access to camera recordings shall  
4 be restricted to only those personnel responsible for  
5 those purposes. The recording officer or his or her  
6 supervisor may not redact, label, duplicate or otherwise  
7 alter the recording officer's camera recordings. Except as  
8 otherwise provided in this Section, the recording officer  
9 and his or her supervisor may access and review recordings  
10 prior to completing incident reports or other  
11 documentation, provided that the supervisor discloses that  
12 fact in the report or documentation.

13 (i) A law enforcement officer shall not have  
14 access to or review his or her body-worn camera  
15 recordings or the body-worn camera recordings of  
16 another officer prior to completing incident reports  
17 or other documentation when the officer:

18 (a) has been involved in or is a witness to an  
19 officer-involved shooting, use of deadly force  
20 incident, or use of force incidents resulting in  
21 great bodily harm;

22 (b) is ordered to write a report in response  
23 to or during the investigation of a misconduct  
24 complaint against the officer.

25 (ii) If the officer subject to subparagraph (i)  
26 prepares a report, any report shall be prepared

1 without viewing body-worn camera recordings, and  
2 subject to supervisor's approval, officers may file  
3 amendatory reports after viewing body-worn camera  
4 recordings. Supplemental reports under this provision  
5 shall also contain documentation regarding access to  
6 the video footage.

7 (B) The recording officer's assigned field  
8 training officer may access and review recordings for  
9 training purposes. Any detective or investigator  
10 directly involved in the investigation of a matter may  
11 access and review recordings which pertain to that  
12 investigation but may not have access to delete or  
13 alter such recordings.

14 (7) Recordings made on officer-worn cameras must be  
15 retained by the law enforcement agency or by the camera  
16 vendor used by the agency, on a recording medium for a  
17 period of 90 days.

18 (A) Under no circumstances shall any recording,  
19 except for a non-law enforcement related activity or  
20 encounter, made with an officer-worn body camera be  
21 altered, erased, or destroyed prior to the expiration  
22 of the 90-day storage period. In the event any  
23 recording made with an officer-worn body camera is  
24 altered, erased, or destroyed prior to the expiration  
25 of the 90-day storage period, the law enforcement  
26 agency shall maintain, for a period of one year, a

1 written record including (i) the name of the  
2 individual who made such alteration, erasure, or  
3 destruction, and (ii) the reason for any such  
4 alteration, erasure, or destruction.

5 (B) Following the 90-day storage period, any and  
6 all recordings made with an officer-worn body camera  
7 must be destroyed, unless any encounter captured on  
8 the recording has been flagged. An encounter is deemed  
9 to be flagged when:

10 (i) a formal or informal complaint has been  
11 filed;

12 (ii) the officer discharged his or her firearm  
13 or used force during the encounter;

14 (iii) death or great bodily harm occurred to  
15 any person in the recording;

16 (iv) the encounter resulted in a detention or  
17 an arrest, excluding traffic stops which resulted  
18 in only a minor traffic offense or business  
19 offense;

20 (v) the officer is the subject of an internal  
21 investigation or otherwise being investigated for  
22 possible misconduct;

23 (vi) the supervisor of the officer,  
24 prosecutor, defendant, or court determines that  
25 the encounter has evidentiary value in a criminal  
26 prosecution; or

1                   (vii) the recording officer requests that the  
2                   video be flagged for official purposes related to  
3                   his or her official duties.

4                   (C) Under no circumstances shall any recording  
5                   made with an officer-worn body camera relating to a  
6                   flagged encounter be altered or destroyed prior to 2  
7                   years after the recording was flagged. If the flagged  
8                   recording was used in a criminal, civil, or  
9                   administrative proceeding, the recording shall not be  
10                  destroyed except upon a final disposition and order  
11                  from the court.

12                  (8) Following the 90-day storage period, recordings  
13                  may be retained if a supervisor at the law enforcement  
14                  agency designates the recording for training purposes. If  
15                  the recording is designated for training purposes, the  
16                  recordings may be viewed by officers, in the presence of a  
17                  supervisor or training instructor, for the purposes of  
18                  instruction, training, or ensuring compliance with agency  
19                  policies.

20                  (9) Recordings shall not be used to discipline law  
21                  enforcement officers unless:

22                         (A) a formal or informal complaint of misconduct  
23                         has been made;

24                         (B) a use of force incident has occurred;

25                         (C) the encounter on the recording could result in  
26                         a formal investigation under the Uniform Peace



1           Officers' Disciplinary Act; or

2                   (D) as corroboration of other evidence of  
3           misconduct.

4           Nothing in this paragraph (9) shall be construed to  
5           limit or prohibit a law enforcement officer from being  
6           subject to an action that does not amount to discipline.

7           (10) The law enforcement agency shall ensure proper  
8           care and maintenance of officer-worn body cameras. Upon  
9           becoming aware, officers must as soon as practical  
10          document and notify the appropriate supervisor of any  
11          technical difficulties, failures, or problems with the  
12          officer-worn body camera or associated equipment. Upon  
13          receiving notice, the appropriate supervisor shall make  
14          every reasonable effort to correct and repair any of the  
15          officer-worn body camera equipment.

16          (11) No officer may hinder or prohibit any person, not  
17          a law enforcement officer, from recording a law  
18          enforcement officer in the performance of his or her  
19          duties in a public place or when the officer has no  
20          reasonable expectation of privacy. The law enforcement  
21          agency's written policy shall indicate the potential  
22          criminal penalties, as well as any departmental  
23          discipline, which may result from unlawful confiscation or  
24          destruction of the recording medium of a person who is not  
25          a law enforcement officer. However, an officer may take  
26          reasonable action to maintain safety and control, secure

1 crime scenes and accident sites, protect the integrity and  
2 confidentiality of investigations, and protect the public  
3 safety and order.

4 (b) Recordings made with the use of an officer-worn body  
5 camera are not subject to disclosure under the Freedom of  
6 Information Act, except that:

7 (1) if the subject of the encounter has a reasonable  
8 expectation of privacy, at the time of the recording, any  
9 recording which is flagged, due to the filing of a  
10 complaint, discharge of a firearm, use of force, arrest or  
11 detention, or resulting death or bodily harm, shall be  
12 disclosed in accordance with the Freedom of Information  
13 Act if:

14 (A) the subject of the encounter captured on the  
15 recording is a victim or witness; and

16 (B) the law enforcement agency obtains written  
17 permission of the subject or the subject's legal  
18 representative;

19 (2) except as provided in paragraph (1) of this  
20 subsection (b), any recording which is flagged due to the  
21 filing of a complaint, discharge of a firearm, use of  
22 force, arrest or detention, or resulting death or bodily  
23 harm shall be disclosed in accordance with the Freedom of  
24 Information Act; and

25 (3) upon request, the law enforcement agency shall  
26 disclose, in accordance with the Freedom of Information

1 Act, the recording to the subject of the encounter  
2 captured on the recording or to the subject's attorney, or  
3 the officer or his or her legal representative.

4 For the purposes of paragraph (1) of this subsection (b),  
5 the subject of the encounter does not have a reasonable  
6 expectation of privacy if the subject was arrested as a result  
7 of the encounter. For purposes of subparagraph (A) of  
8 paragraph (1) of this subsection (b), "witness" does not  
9 include a person who is a victim or who was arrested as a  
10 result of the encounter.

11 Only recordings or portions of recordings responsive to  
12 the request shall be available for inspection or reproduction.  
13 Any recording disclosed under the Freedom of Information Act  
14 shall be redacted to remove identification of any person that  
15 appears on the recording and is not the officer, a subject of  
16 the encounter, or directly involved in the encounter. Nothing  
17 in this subsection (b) shall require the disclosure of any  
18 recording or portion of any recording which would be exempt  
19 from disclosure under the Freedom of Information Act.

20 (c) Nothing in this Section shall limit access to a camera  
21 recording for the purposes of complying with Supreme Court  
22 rules or the rules of evidence.

23 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
24 revised 7-30-21.)

25 Section 65. The Emergency Telephone System Act is amended

1 by changing Section 11.5 as follows:

2 (50 ILCS 750/11.5)

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

4 Sec. 11.5. Aggregator and originating service provider  
5 responsibilities.

6 (a) Each aggregator, and the originating service providers  
7 whose 9-1-1 calls are being aggregated by the aggregator,  
8 shall comply with their respective requirements in 83 Ill.  
9 Adm. Code ~~Part~~ 725.410.

10 (b) Beginning July 1, 2021, each aggregator that is  
11 operating within the State must email the Office of the  
12 Statewide 9-1-1 Administrator to provide the following  
13 information that supports the implementation of and the  
14 migration to the Statewide NG9-1-1 system:

15 (1) A company 9-1-1 contact, address, email, and phone  
16 number.

17 (2) A list of originating service providers that the  
18 aggregator transports 9-1-1 calls for and then to the  
19 appropriate 9-1-1 system provider. New or current  
20 aggregators must update the required information within 30  
21 days of implementing any changes in information required  
22 by this subsection.

23 (c) Each aggregator shall establish procedures for  
24 receiving No Record Found errors from the 9-1-1 System  
25 Provider, identifying the originating service provider who

1 delivered the call to the aggregator, and referring the No  
2 Record Found errors to that originating service provider.

3 (d) Each originating service provider shall establish  
4 procedures with the 9-1-1 system provider for preventing and  
5 resolving No Record Found errors in the 9-1-1 database and  
6 make every effort to ensure 9-1-1 calls are sent to the  
7 appropriate public safety answering point.

8 (e) If a 9-1-1 system is being transitioned to NG9-1-1  
9 service or to a new provider, each aggregator shall be  
10 responsible for coordinating any modifications that are needed  
11 to ensure that the originating service provider provides the  
12 required level of service to its customers. Each aggregator  
13 shall coordinate those network changes or additions for those  
14 migrations in a timely manner with the appropriate 9-1-1  
15 system provider who shall be managing its respective  
16 implementation schedule and cut over. Each aggregator shall  
17 send notice to its originating service provider customers of  
18 the aggregator's successful turn up of the network changes or  
19 additions supporting the migration and include the necessary  
20 information for the originating service provider's migration  
21 (such as public safety answering point name, Federal  
22 Communications Commission Identification, and Emergency  
23 Services Routing Number). The notice shall be provided to the  
24 originating service providers within 2 weeks of acceptance  
25 testing and conversion activities between the aggregator and  
26 the 9-1-1 system provider.

1           (f) The 9-1-1 system provider shall coordinate directly  
2 with the originating service providers (unless the aggregator  
3 separately agrees to coordinate with the originating service  
4 providers) for migration, but in no case shall that migration  
5 exceed 30 days after receipt of notice from the aggregator,  
6 unless agreed to by the originating service provider and 9-1-1  
7 system provider.

8           (g) Each aggregator shall coordinate test calls with the  
9 9-1-1 system provider and the 9-1-1 Authority when turning up  
10 new circuits or making network changes. Each originating  
11 service provider shall perform testing of its network and  
12 provisioning upon notification from the aggregator that the  
13 network has been tested and accepted with the 9-1-1 system  
14 provider.

15           (h) Each aggregator and originating service provider  
16 customer shall deliver all 9-1-1 calls, audio, data, and  
17 location to the 9-1-1 system at a location determined by the  
18 State.

19           (Source: P.A. 102-9, eff. 6-3-21; revised 7-16-21.)

20           Section 70. The Counties Code is amended by changing  
21 Sections 2-3003 and 2-4006.5 as follows:

22           (55 ILCS 5/2-3003) (from Ch. 34, par. 2-3003)

23           Sec. 2-3003. Apportionment plan.

24           (1) If the county board determines that members shall be

1 elected by districts, it shall develop an apportionment plan  
2 and specify the number of districts and the number of county  
3 board members to be elected from each district and whether  
4 voters will have cumulative voting rights in multi-member  
5 districts. Each such district:

6 a. Shall be substantially equal in population to each  
7 other district;

8 b. Shall be comprised of contiguous territory, as  
9 nearly compact as practicable; ~~and~~

10 c. May divide townships or municipalities only when  
11 necessary to conform to the population requirement of  
12 paragraph a. of this Section; and-

13 d. Shall be created in such a manner so that no  
14 precinct shall be divided between 2 or more districts,  
15 insofar as is practicable.

16 (2) The county board of each county having a population of  
17 less than 3,000,000 inhabitants may, if it should so decide,  
18 provide within that county for single-member ~~single-member~~  
19 districts outside the corporate limits and multi-member  
20 districts within the corporate limits of any municipality with  
21 a population in excess of 75,000. Paragraphs a, b, c, and d of  
22 subsection (1) of this Section shall apply to the  
23 apportionment of both single-member ~~single~~ and multi-member  
24 districts within a county to the extent that compliance with  
25 paragraphs a, b, c, and d still permit the establishment of  
26 such districts, except that the population of any multi-member

1 district shall be equal to the population of any single-member  
2 ~~single-member~~ district, times the number of members found  
3 within that multi-member district.

4 (3) In a county where the Chairman of the County Board is  
5 elected by the voters of the county as provided in Section  
6 2-3007, the Chairman of the County Board may develop and  
7 present to the Board by the third Wednesday in May in the year  
8 after a federal decennial census year an apportionment plan in  
9 accordance with the provisions of subsection (1) of this  
10 Section. If the Chairman presents a plan to the Board by the  
11 third Wednesday in May, the Board shall conduct at least one  
12 public hearing to receive comments and to discuss the  
13 apportionment plan, the hearing shall be held at least 6 days  
14 but not more than 21 days after the Chairman's plan was  
15 presented to the Board, and the public shall be given notice of  
16 the hearing at least 6 days in advance. If the Chairman  
17 presents a plan by the third Wednesday in May, the Board is  
18 prohibited from enacting an apportionment plan until after a  
19 hearing on the plan presented by the Chairman. The Chairman  
20 shall have access to the federal decennial census available to  
21 the Board.

22 (4) In a county where a County Executive is elected by the  
23 voters of the county as provided in Section 2-5007 of this the  
24 ~~Counties~~ Code, the County Executive may develop and present to  
25 the Board by the third Wednesday in May in the year after a  
26 federal decennial census year an apportionment plan in



1 accordance with the provisions of subsection (1) of this  
2 Section. If the Executive presents a plan to the Board by the  
3 third Wednesday in May, the Board shall conduct at least one  
4 public hearing to receive comments and to discuss the  
5 apportionment plan, the hearing shall be held at least 6 days  
6 but not more than 21 days after the Executive's plan was  
7 presented to the Board, and the public shall be given notice of  
8 the hearing at least 6 days in advance. If the Executive  
9 presents a plan by the third Wednesday in May, the Board is  
10 prohibited from enacting an apportionment plan until after a  
11 hearing on the plan presented by the Executive. The Executive  
12 shall have access to the federal decennial census available to  
13 the Board.

14 (5) For the reapportionment of 2021, the Chairman of the  
15 County Board or County Executive may develop and present (or  
16 redevelop and represent) to the Board by the third Wednesday  
17 in November in the year after a federal decennial census year  
18 an apportionment plan and the Board shall conduct its public  
19 hearing as provided in paragraphs (3) and (4) following  
20 receipt of the apportionment plan.

21 (Source: P.A. 102-15, eff. 6-17-21; revised 7-15-21.)

22 (55 ILCS 5/2-4006.5)

23 Sec. 2-4006.5. Commissioners in certain counties.

24 (a) If a county elects 3 commissioners at large under  
25 Section 2-4006, registered voters of such county may, by a

1 vote of a majority of those voting on such proposition,  
2 determine to change the method of electing the board of county  
3 commissioners by electing either 3 or 5 members from  
4 single-member ~~single-member~~ districts. In order for such  
5 question to be placed upon the ballot, such petition must  
6 contain the signatures of not fewer than 10% of the registered  
7 voters of such county.

8 Commissioners may not be elected from single-member ~~single~~  
9 ~~member~~ districts until the question of electing either 3 or 5  
10 commissioners from single-member ~~single-member~~ districts has  
11 been submitted to the electors of the county at a regular  
12 election and approved by a majority of the electors voting on  
13 the question. The commissioners must certify the question to  
14 the proper election authority, which must submit the question  
15 at an election in accordance with the Election Code.

16 The question must be in substantially the following form:

17 Shall the board of county commissioners of (name of  
18 county) consist of (insert either 3 or 5) commissioners  
19 elected from single-member ~~single-member~~ districts?

20 The votes must be recorded as "Yes" or "No".

21 If a majority of the electors voting on the question vote  
22 in the affirmative, a 3-member or 5-member board of county  
23 commissioners, as the case may be, shall be established to be  
24 elected from single-member ~~single-member~~ districts.

25 (b) If the voters of the county decide to elect either 3 or  
26 5 commissioners from single-member ~~single-member~~ districts,

1 the board of county commissioners shall on or before August 31  
2 of the year following the 2000 federal decennial census divide  
3 the county into either 3 or 5 compact and contiguous county  
4 commission districts that are substantially equal in  
5 population. On or before May 31 of the year following each  
6 federal decennial census thereafter, the board of county  
7 commissioners shall reapportion the county commission  
8 districts to be compact, contiguous, and substantially equal  
9 in population.

10 (c) The commissioners elected at large at or before the  
11 general election in 2000 shall continue to serve until the  
12 expiration of their terms. Of those commissioners, the  
13 commissioner whose term expires in 2002 shall be assigned to  
14 district 1; the commissioner whose term expires in 2004 shall  
15 be assigned to district 2; and the commissioner whose term  
16 expires in 2006 shall be assigned to district 3.

17 (d) If the voters of the county decide to elect 5  
18 commissioners from single-member ~~single member~~ districts, at  
19 the general election in 2002, one commissioner from and  
20 residing in each of districts 1, 4, and 5 shall be elected. At  
21 the general election in 2004, one commissioner from and  
22 residing in each of districts 1, 2, and 5 shall be elected. At  
23 the general election in 2006, one commissioner from and  
24 residing in each of districts 2, 3, and 4 shall be elected. At  
25 the general election in 2008, one commissioner from and  
26 residing in each of districts 1, 3, and 5 shall be elected. At

1 the general election in 2010, one commissioner from each of  
2 districts 2 and 4 shall be elected. At the general election in  
3 2012, commissioners from and residing in each district shall  
4 be elected. Thereafter, commissioners shall be elected at each  
5 general election to fill expired terms. Each commissioner must  
6 reside in the district that he or she represents from the time  
7 that he or she files his or her nomination papers until his or  
8 her term expires.

9 In the year following the decennial census of 2010 and  
10 every 10 years thereafter, the commissioners, publicly by lot,  
11 shall divide the districts into 2 groups. One group shall  
12 serve terms of 4 years, 4 years, and 2 years and one group  
13 shall serve terms of 2 years, 4 years, and 4 years.

14 (Source: P.A. 91-846, eff. 6-22-00; 92-189, eff. 8-1-01;  
15 revised 7-15-21.)

16 Section 75. The Illinois Municipal Code is amended by  
17 changing Sections 5-2-2, 5-2-18.1, 11-5.1-2, and 11-13-14 as  
18 follows:

19 (65 ILCS 5/5-2-2) (from Ch. 24, par. 5-2-2)

20 Sec. 5-2-2. Except as otherwise provided in Section 5-2-3,  
21 the number of alderpersons, when not elected by the minority  
22 representation plan, shall be as follows: In cities not  
23 exceeding 3,000 inhabitants, 6 alderpersons; exceeding 3,000,  
24 but not exceeding 15,000, 8 alderpersons; exceeding 15,000 but

1 not exceeding 20,000, 10 alderpersons; exceeding 20,000 but  
2 not exceeding 30,000, 14 alderpersons; and 2 additional  
3 alderpersons for every 20,000 inhabitants over 30,000. In all  
4 cities of less than 500,000, 20 alderpersons shall be the  
5 maximum number permitted except as otherwise provided in the  
6 case of alderpersons-at-large. No redistricting shall be  
7 required in order to reduce the number of alderpersons  
8 heretofore provided for. Two alderpersons shall be elected to  
9 represent each ward.

10 If it appears from any census specified in Section 5-2-5  
11 and taken not earlier than 1940 that any city has the requisite  
12 number of inhabitants to authorize it to increase the number  
13 of alderpersons, the city council shall immediately proceed to  
14 redistrict the city in accordance with the provisions of  
15 Section 5-2-5, and it shall hold the next city election in  
16 accordance with the new redistricting. At this election the  
17 alderpersons whose terms of office are not expiring shall be  
18 considered alderpersons for the new wards respectively in  
19 which their residences are situated. At this election a  
20 candidate for alderperson may be elected from any ward that  
21 contains a part of the ward in which he or she resided at least  
22 one year next preceding the election that follows the  
23 redistricting, and, if elected, that person may be reelected  
24 from the new ward he or she represents if he or she resides in  
25 that ward for at least one year next preceding reelection. If  
26 there are 2 or more alderpersons with terms of office not

1 expiring and residing in the same ward under the new  
2 redistricting, the alderperson who holds over for that ward  
3 shall be determined by lot in the presence of the city council,  
4 in whatever manner the council shall direct and all other  
5 alderpersons shall fill their unexpired terms as  
6 alderpersons-at-large. The alderpersons-at-large, if any,  
7 shall have the same power and duties as all other alderpersons  
8 but upon expiration of their terms the offices of  
9 alderpersons-at-large shall be abolished.

10 If the redistricting ~~re-districting~~ results in one or more  
11 wards in which no alderpersons reside whose terms of office  
12 have not expired, 2 alderpersons shall be elected in  
13 accordance with the provisions of Section 5-2-8.

14 (Source: P.A. 102-15, eff. 6-17-21; revised 7-15-21.)

15 (65 ILCS 5/5-2-18.1) (from Ch. 24, par. 5-2-18.1)

16 Sec. 5-2-18.1. In any city or village which has adopted  
17 this Article and also has elected to choose alderpersons from  
18 wards or trustees from districts, as the case may be, a  
19 proposition to elect the city council at large shall be  
20 submitted to the electors in the manner herein provided.

21 Electors of such city or village, equal to not less than  
22 10% of the total vote cast for all candidates for mayor or  
23 president in the last preceding municipal election for such  
24 office, may petition for the submission to a vote of the  
25 electors of that city or village the proposition whether the

1 city council shall be elected at large. The petition shall be  
 2 in the same form as prescribed in Section 5-1-6, except that  
 3 said petition shall be modified as to the wording of the  
 4 proposition to be voted upon to conform to the wording of the  
 5 proposition as hereinafter set forth, and shall be filed with  
 6 the city clerk in accordance with the general election law.  
 7 The clerk shall certify the proposition to the proper election  
 8 authorities who shall submit the proposition at an election in  
 9 accordance with the general election law.

10 However, such proposition shall not be submitted at the  
 11 general primary election for the municipality.

12 The proposition shall be in substantially the following  
 13 form:

14 -----  
 15 Shall the city (or village) of  
 16 .... elect the city council at YES  
 17 large instead of alderpersons -----  
 18 (or trustees) from wards (or NO  
 19 districts)?  
 20 -----

21 If a majority of those voting on the proposition vote  
 22 "yes", then the city council shall be elected at large at the  
 23 next general municipal election and the provisions of Section  
 24 5-2-12 shall be applicable. Upon the election and  
 25 qualification of such councilmen ~~council men~~ or trustees, the  
 26 terms of all sitting alderpersons shall expire.

1 (Source: P.A. 102-15, eff. 6-17-21; revised 7-15-21.)

2 (65 ILCS 5/11-5.1-2)

3 Sec. 11-5.1-2. Military equipment surplus program.

4 (a) For purposes of this Section:

5 "Bayonet" means large knives designed to be attached to  
6 the muzzle of a rifle, shotgun, or long gun for the purposes of  
7 hand-to-hand combat.

8 "Grenade launcher" means a firearm or firearm accessory  
9 used to launch fragmentary explosive rounds designed to  
10 inflict death or cause great bodily harm.

11 "Military equipment surplus program" means any federal or  
12 state program allowing a law enforcement agency to obtain  
13 surplus military equipment, including, but not limited ~~limit~~  
14 to, any program organized under Section 1122 of the National  
15 Defense Authorization Act for Fiscal Year 1994 (Pub. L.  
16 103-160) or Section 1033 of the National Defense Authorization  
17 Act for Fiscal Year 1997 (Pub. L. 104-201) or any program  
18 established by the United States Department of Defense under  
19 10 U.S.C. 2576a.

20 "Tracked armored vehicle" means a vehicle that provides  
21 ballistic protection to its occupants and utilizes a tracked  
22 system instead of wheels for forward motion not including  
23 vehicles listed in the Authorized Equipment List as published  
24 by the Federal Emergency Management Agency.

25 "Weaponized aircraft, vessels, or vehicles" means any



1 aircraft, vessel, or vehicle with weapons installed.

2 (b) A police department shall not request or receive from  
3 any military equipment surplus program nor purchase or  
4 otherwise utilize the following equipment:

5 (1) tracked armored vehicles;

6 (2) weaponized aircraft, vessels, or vehicles;

7 (3) firearms of .50-caliber or higher;

8 (4) ammunition of .50-caliber or higher;

9 (5) grenade launchers, grenades, or similar  
10 explosives; or

11 (6) bayonets.

12 (c) A home rule municipality may not regulate the  
13 acquisition of equipment in a manner inconsistent with this  
14 Section. This Section is a limitation under subsection (i) of  
15 Section 6 of Article VII of the Illinois Constitution on the  
16 concurrent exercise by home rule municipalities of powers and  
17 functions exercised by the State.

18 (d) If a police department requests other property not  
19 prohibited from a military equipment surplus program, the  
20 police department shall publish notice of the request on a  
21 publicly accessible website maintained by the police  
22 department or the municipality within 14 days after the  
23 request.

24 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
25 revised 7-30-21.)

1 (65 ILCS 5/11-13-14) (from Ch. 24, par. 11-13-14)

2 Sec. 11-13-14. The regulations imposed and the districts  
3 created under the authority of this Division 13 may be amended  
4 from time to time by ordinance after the ordinance  
5 establishing them has gone into effect, but no such amendments  
6 shall be made without a hearing before some commission or  
7 committee designated by the corporate authorities. Notice  
8 shall be given of the time and place of the hearing, not more  
9 than 30 nor less than 15 days before the hearing, by publishing  
10 a notice thereof at least once in one or more newspapers  
11 published in the municipality, or, if no newspaper is  
12 published therein, then in one or more newspapers with a  
13 general circulation within the municipality. In municipalities  
14 with less than 500 population in which no newspaper is  
15 published, publication may be made instead by posting a notice  
16 in 3 prominent places within the municipality. In case of a  
17 written protest against any proposed amendment of the  
18 regulations or districts, signed and acknowledged by the  
19 owners of 20% of the frontage proposed to be altered, or by the  
20 owners of 20% of the frontage immediately adjoining or across  
21 an alley therefrom, or by the owners of the 20% of the frontage  
22 directly opposite the frontage proposed to be altered, is  
23 filed with the clerk of the municipality, the amendment shall  
24 not be passed except by a favorable vote of two-thirds of the  
25 alderpersons or trustees of the municipality then holding  
26 office. In such cases, a copy of the written protest shall be

1 served by the protestor or protestors on the applicant for the  
2 proposed amendments and a copy upon the applicant's attorney,  
3 if any, by certified mail at the address of such applicant and  
4 attorney shown in the application for the proposed amendment.  
5 Any notice required by this Section need not include a metes  
6 and bounds legal description, provided that the notice  
7 includes: (i) the common street address or addresses and (ii)  
8 the property index number ("PIN") or numbers of all the  
9 parcels of real property contained in the affected area.

10 (Source: P.A. 102-15, eff. 6-17-21; revised 7-15-21.)

11 Section 80. The Revised Cities and Villages Act of 1941 is  
12 amended by changing Section 21-25 as follows:

13 (65 ILCS 20/21-25) (from Ch. 24, par. 21-25)

14 Sec. 21-25. Times for elections.➤ General elections for  
15 alderpersons shall be held in the year or years fixed by law  
16 for holding the same, on the last Tuesday of February of such  
17 year. Any supplementary election for alderpersons held under  
18 the provisions of this Article shall be held on the first  
19 Tuesday of April next following the holding of such general  
20 election of alderpersons.

21 (Source: P.A. 102-15, eff. 6-17-21; revised 7-14-21.)

22 Section 85. The Metropolitan Pier and Exposition Authority  
23 Act is amended by changing Section 5.6 as follows:

1 (70 ILCS 210/5.6)

2 Sec. 5.6. Marketing agreement.

3 (a) The Authority shall enter into a marketing agreement  
4 with a not-for-profit organization headquartered in Chicago  
5 and recognized by the Department of Commerce and Economic  
6 Opportunity as a certified local tourism and convention bureau  
7 entitled to receive State tourism grant funds, provided the  
8 bylaws of the organization establish a board of the  
9 organization that is comprised of 35 members serving 3-year  
10 staggered terms, including the following:

11 (1) no less than 8 members appointed by the Mayor of  
12 Chicago, to include:

13 (A) a Chair of the board of the organization  
14 appointed by the Mayor of the City of Chicago from  
15 among the business and civic leaders of Chicago who  
16 are not engaged in the hospitality business or who  
17 have not served as a member of the Board or as chief  
18 executive officer of the Authority; and

19 (B) 7 members from among the cultural, economic  
20 development, or civic leaders of Chicago;

21 (2) the chairperson of the interim board or Board of  
22 the Authority, or his or her designee;

23 (3) a representative from the department in the City  
24 of Chicago that is responsible for the operation of  
25 Chicago-area airports;

1           (4) a representative from the department in the City  
2 of Chicago that is responsible for the regulation of  
3 Chicago-area livery vehicles;

4           (5) at least 1, but no more than:

5                 (A) 2 members from the hotel industry;

6                 (B) 2 members representing Chicago arts and  
7 cultural institutions or projects;

8                 (C) 2 members from the restaurant industry;

9                 (D) 2 members employed by or representing an  
10 entity responsible for a trade show;

11                (E) 2 members representing unions;

12                (F) 2 members from the attractions industry; and

13           (6) 7 members appointed by the Governor, including the  
14 Director of the Illinois Department of Commerce and  
15 Economic Opportunity, ex officio, as well as 3 members  
16 from the hotel industry and 3 members representing Chicago  
17 arts and cultural institutions or projects.

18           The bylaws of the organization may provide for the  
19 appointment of a City of Chicago alderperson as an ex officio  
20 member, and may provide for other ex officio members who shall  
21 serve terms of one year.

22           Persons with a real or apparent conflict of interest shall  
23 not be appointed to the board. Members of the board of the  
24 organization shall not serve more than 2 terms. The bylaws  
25 shall require the following: (i) that the Chair of the  
26 organization name no less than 5 and no more than 9 members to

1 the Executive Committee of the organization, one of whom must  
2 be the chairperson of the interim board or Board of the  
3 Authority, and (ii) a provision concerning conflict of  
4 interest and a requirement that a member abstain from  
5 participating in board action if there is a threat to the  
6 independence of judgment created by any conflict of interest  
7 or if participation is likely to have a negative effect on  
8 public confidence in the integrity of the board.

9 (b) The Authority shall notify the Department of Revenue  
10 within 10 days after entering into a contract pursuant to this  
11 Section.

12 (Source: P.A. 102-15, eff. 6-17-21; 102-16, eff. 6-17-21;  
13 revised 7-17-21.)

14 Section 90. The School Code is amended by changing Section  
15 1-3 as follows:

16 (105 ILCS 5/1-3) (from Ch. 122, par. 1-3)

17 Sec. 1-3. Definitions. In this Code:

18 The terms "common schools", "free schools" and "public  
19 schools" are used interchangeably to apply to any school  
20 operated by authority of this Act.

21 "School board" means the governing body of any district  
22 created or operating under authority of this Code Act,  
23 including board of school directors and board of education.  
24 When the context so indicates it also means the governing body

1 of any non-high school district and of any special charter  
2 district, including a board of school inspectors.

3 "Special charter district" means any city, township, or  
4 district organized into a school district, under a special Act  
5 or charter of the General Assembly or in which schools are now  
6 managed and operating within such unit in whole or in part  
7 under the terms of such special Act or charter.

8 (Source: Laws 1961, p. 31; revised 7-16-21.)

9 Section 95. The Student-Athlete Endorsement Rights Act is  
10 amended by changing Section 20 as follows:

11 (110 ILCS 190/20)

12 Sec. 20. Agents; publicity rights; third party licensees.

13 (a) An agent, legal representative, or other professional  
14 service provider offering services to a student-athlete shall,  
15 to the extent required, comply with the federal Sports Agent  
16 Responsibility and Trust Act and any other applicable laws,  
17 rules, or regulations.

18 (b) A grant-in-aid, including cost of attendance, and  
19 other permissible financial aid, awards, or benefits from the  
20 postsecondary educational institution in which a  
21 student-athlete is enrolled shall not be revoked, reduced, nor  
22 the terms and conditions altered, as a result of a  
23 student-athlete earning compensation or obtaining professional  
24 or legal representation pursuant to this Act.

1 (c) A student-athlete shall disclose to the postsecondary  
2 educational institution in which the student is enrolled, in a  
3 manner and time prescribed by the institution, the existence  
4 and substance of all publicity rights agreements. Publicity  
5 rights agreements that contemplate cash or other compensation  
6 to the student-athlete that is equal to or in excess of a value  
7 of \$500 shall be formalized in a written contract, and the  
8 contract shall be provided to the postsecondary educational  
9 institution in which the student is enrolled prior to the  
10 execution of the agreement and before any compensation is  
11 provided to the student-athlete.

12 (d) A student-athlete may not enter into a publicity  
13 rights agreement or otherwise receive compensation for that  
14 student-athlete's name, image, likeness, or voice for services  
15 rendered or performed while that student-athlete is  
16 participating in activities sanctioned by that  
17 student-athlete's postsecondary educational institution if  
18 such services or performance by the student-athlete would  
19 conflict with a provision in a contract, rule, regulation,  
20 standard, or other requirement of the postsecondary  
21 educational institution.

22 (e) No booster, third party licensee, or any other  
23 individual or entity, shall provide or directly or indirectly  
24 arrange for a third party to provide compensation to a  
25 prospective or current student-athlete or enter into, or  
26 directly or indirectly arrange for a third party to enter



1 into, a publicity rights agreement as an inducement for the  
2 student-athlete to attend or enroll in a specific institution  
3 or group of institutions. Compensation for a student-athlete's  
4 name, image, likeness, or voice shall not be conditioned on  
5 athletic performance or attendance at a particular  
6 postsecondary educational institution.

7 (f) A postsecondary educational institution may fund an  
8 independent, third-party administrator to support education,  
9 monitoring, disclosures, and reporting concerning name, image,  
10 likeness, or voice activities by student-athletes authorized  
11 pursuant to this Act. A third-party administrator cannot be a  
12 registered athlete agent.

13 (g) No postsecondary educational institution shall provide  
14 or directly or indirectly arrange for a third party  
15 ~~third party~~ to provide compensation to a prospective or  
16 current student-athlete or enter into, or directly or  
17 indirectly arrange for a third party to enter into, a  
18 publicity rights agreement with a prospective or current  
19 student-athlete.

20 (h) No student-athlete shall enter into a publicity rights  
21 agreement or receive compensation from a third party licensee  
22 relating to the name, image, likeness, or voice of the  
23 student-athlete before the date on which the student-athlete  
24 enrolls at a postsecondary educational institution.

25 (i) No student-athlete shall enter into a publicity rights  
26 agreement or receive compensation from a third party licensee

1 for the endorsement or promotion of gambling, sports betting,  
2 controlled substances, cannabis, a tobacco or alcohol company,  
3 brand, or products, alternative or electronic nicotine product  
4 or delivery system, performance-enhancing supplements, adult  
5 entertainment, or any other product or service that is  
6 reasonably considered to be inconsistent with the values or  
7 mission of a postsecondary educational institution or that  
8 negatively impacts or reflects adversely on a postsecondary  
9 educational institution or its athletic programs, including,  
10 but not limited to, bringing about public disrepute,  
11 embarrassment, scandal, ridicule, or otherwise negatively  
12 impacting the reputation or the moral or ethical standards of  
13 the postsecondary educational institution.

14 (Source: P.A. 102-42, eff. 7-1-21; revised 8-3-21.)

15 Section 100. The Illinois Educational Labor Relations Act  
16 is amended by changing Section 11.1 as follows:

17 (115 ILCS 5/11.1)

18 Sec. 11.1. Dues collection.

19 (a) Employers shall make payroll deductions of employee  
20 organization dues, initiation fees, assessments, and other  
21 payments for an employee organization that is the exclusive  
22 representative. Such deductions shall be made in accordance  
23 with the terms of an employee's written authorization and  
24 shall be paid to the exclusive representative. Written

1 authorization may be evidenced by electronic communications,  
2 and such writing or communication may be evidenced by the  
3 electronic signature of the employee as provided under the  
4 Uniform Electronic Transactions Act.

5 There is no impediment to an employee's right to resign  
6 union membership at any time. However, notwithstanding any  
7 other provision of law to the contrary regarding authorization  
8 and deduction of dues or other payments to a labor  
9 organization, the exclusive representative and an educational  
10 employee may agree to reasonable limits on the right of the  
11 employee to revoke such authorization, including a period of  
12 irrevocability that exceeds one year. An authorization that is  
13 irrevocable for one year, which may be automatically renewed  
14 for successive annual periods in accordance with the terms of  
15 the authorization, and that contains at least an annual 10-day  
16 period of time during which the educational employee may  
17 revoke the authorization, shall be deemed reasonable. This  
18 Section shall apply to all claims that allege that an  
19 educational employer or employee organization has improperly  
20 deducted or collected dues from an employee without regard to  
21 whether the claims or the facts upon which they are based  
22 occurred before, on, or after December 20, 2019 (the effective  
23 date of Public Act 101-620) ~~this amendatory Act of the 101st~~  
24 ~~General Assembly~~ and shall apply retroactively to the maximum  
25 extent permitted by law.

26 (b) Upon receiving written notice of the authorization,

1 the educational employer must commence dues deductions as soon  
2 as practicable, but in no case later than 30 days after  
3 receiving notice from the employee organization. Employee  
4 deductions shall be transmitted to the employee organization  
5 no later than 10 days after they are deducted unless a shorter  
6 period is mutually agreed to.

7 (c) Deductions shall remain in effect until:

8 (1) the educational employer receives notice that an  
9 educational employee has revoked his or her authorization  
10 in writing in accordance with the terms of the  
11 authorization; or

12 (2) the individual educational employee is no longer  
13 employed by the educational employer in a bargaining unit  
14 position represented by the same exclusive representative;  
15 provided that if such employee is, within a period of one  
16 year, employed by the same educational employer in a  
17 position represented by the same employee organization,  
18 the right to dues deduction shall be automatically  
19 reinstated.

20 Nothing in this subsection prevents an employee from  
21 continuing to authorize payroll deductions when no longer  
22 represented by the exclusive representative that would receive  
23 those deductions.

24 Should the individual educational employee who has signed  
25 a dues deduction authorization card either be removed from an  
26 educational employer's payroll or otherwise placed on any type

1 of involuntary or voluntary leave of absence, whether paid or  
2 unpaid, the employee's dues deduction shall be continued upon  
3 that employee's return to the payroll in a bargaining unit  
4 position represented by the same exclusive representative or  
5 restoration to active duty from such a leave of absence.

6 (d) Unless otherwise mutually agreed by the educational  
7 employer and the exclusive representative, employee requests  
8 to authorize, revoke, cancel, or change authorizations for  
9 payroll deductions for employee organizations shall be  
10 directed to the employee organization rather than to the  
11 educational employer. The employee organization shall be  
12 responsible for initially processing and notifying the  
13 educational employer of proper requests or providing proper  
14 requests to the employer. If the requests are not provided to  
15 the educational employer, the employer shall rely on  
16 information provided by the employee organization regarding  
17 whether deductions for an employee organization were properly  
18 authorized, revoked, canceled, or changed, and the employee  
19 organization shall indemnify the educational employer for any  
20 damages and reasonable costs incurred for any claims made by  
21 educational employees for deductions made in good faith  
22 reliance on that information.

23 (e) Upon receipt by the exclusive representative of an  
24 appropriate written authorization from an individual  
25 educational employee, written notice of authorization shall be  
26 provided to the educational employer and any authorized

1 deductions shall be made in accordance with law. The employee  
2 organization shall indemnify the educational employer for any  
3 damages and reasonable costs incurred for any claims made by  
4 an educational employee for deductions made in good faith  
5 reliance on its notification.

6 (f) The failure of an educational employer to comply with  
7 the provisions of this Section shall be a violation of the duty  
8 to bargain and an unfair labor practice. Relief for the  
9 violation shall be reimbursement by the educational employer  
10 of dues that should have been deducted or paid based on a valid  
11 authorization given by the educational employee or employees.  
12 In addition, the provisions of a collective bargaining  
13 agreement that contain the obligations set forth in this  
14 Section may be enforced in accordance with Section 10.

15 (g) The Illinois Educational Labor Relations Board shall  
16 have exclusive jurisdiction over claims under Illinois law  
17 that allege an educational employer or employee organization  
18 has unlawfully deducted or collected dues from an educational  
19 employee in violation of this Act. The Board shall by rule  
20 require that in cases in which an educational employee alleges  
21 that an employee organization has unlawfully collected dues,  
22 the educational employer shall continue to deduct the  
23 employee's dues from the employee's pay, but shall transmit  
24 the dues to the Board for deposit in an escrow account  
25 maintained by the Board. If the exclusive representative  
26 maintains an escrow account for the purpose of holding dues to

1 which an employee has objected, the employer shall transmit  
2 the entire amount of dues to the exclusive representative, and  
3 the exclusive representative shall hold in escrow the dues  
4 that the employer would otherwise have been required to  
5 transmit to the Board for escrow; provided that the escrow  
6 account maintained by the exclusive representative complies  
7 with rules adopted by the Board or that the collective  
8 bargaining agreement requiring the payment of the dues  
9 contains an indemnification provision for the purpose of  
10 indemnifying the employer with respect to the employer's  
11 transmission of dues to the exclusive representative.

12 (h) If a collective bargaining agreement that includes a  
13 dues deduction clause expires or continues in effect beyond  
14 its scheduled expiration date pending the negotiation of a  
15 successor agreement, then the employer shall continue to honor  
16 and abide by the dues deduction clause until a new agreement  
17 that includes a dues deduction clause is reached. Failure to  
18 honor and abide by the dues deduction clause for the benefit of  
19 any exclusive representative as set forth in this subsection  
20 (h) shall be a violation of the duty to bargain and an unfair  
21 labor practice. For the benefit of any successor exclusive  
22 representative certified under this Act, this provision shall  
23 be applicable, provided the successor exclusive representative  
24 presents the employer with employee written authorizations or  
25 certifications from the exclusive representative for the  
26 deduction of dues, assessments, and fees under this subsection

1 (h).

2 (i)(1) If any clause, sentence, paragraph, or subdivision  
3 of this Section shall be adjudged by a court of competent  
4 jurisdiction to be unconstitutional or otherwise invalid, that  
5 judgment shall not affect, impair, or invalidate the remainder  
6 thereof, but shall be confined in its operation to the clause,  
7 sentence, paragraph, or subdivision of this Section directly  
8 involved in the controversy in which such judgment shall have  
9 been rendered.

10 (2) If any clause, sentence, paragraph, or part of a  
11 signed authorization for payroll deductions shall be adjudged  
12 by a court of competent jurisdiction to be unconstitutional or  
13 otherwise invalid, that judgment shall not affect, impair, or  
14 invalidate the remainder of the signed authorization, but  
15 shall be confined in its operation to the clause, sentence,  
16 paragraph, or part of the signed authorization directly  
17 involved in the controversy in which such judgment shall have  
18 been rendered.

19 (Source: P.A. 101-620, eff. 12-20-19; 102-38, eff. 6-25-21;  
20 revised 8-3-21.)

21 Section 105. The Savings Bank Act is amended by changing  
22 Section 6001 as follows:

23 (205 ILCS 205/6001) (from Ch. 17, par. 7306-1)  
24 Sec. 6001. General provisions.



1           (a) No savings bank shall make any loan or investment  
2 authorized by this Article unless the savings bank first has  
3 determined that the type, amount, purpose, and repayment  
4 provisions of the loan or investment in relation to the  
5 borrower's or issuer's resources and credit standing support  
6 the reasonable belief that the loan or investment will be  
7 financially sound and will be repaid according to its terms  
8 and that the loan or investment is not otherwise unlawful.

9           (b) Each loan or investment that a savings bank makes or  
10 purchases, whether wholly or in part, must be adequately  
11 underwritten, reviewed periodically, and reserved against as  
12 necessary in accordance with its payment performance, all in  
13 accordance with the regulations and directives of the  
14 Commissioner.

15           (c) Every appraisal or reappraisal of property that a  
16 savings bank is required to make shall be made as follows:

17               (1) By an independent qualified appraiser, designated  
18 by the board of directors, who is properly licensed or  
19 certified by the entity authorized to govern his licensure  
20 or certification and who meets the requirements of the  
21 Appraisal Subcommittee and of the Federal Act.

22               (2) In the case of an insured or guaranteed loan, by  
23 any appraiser appointed by any lending, insuring, or  
24 guaranteeing agency of the United States or the State of  
25 Illinois that insures or guarantees the loan, wholly or in  
26 part.

1           (3) Each appraisal shall be in writing prepared at the  
2           request of the lender for the lender's use; disclose the  
3           market value of the security offered; contain sufficient  
4           information and data concerning the appraised property to  
5           substantiate the market value thereof; be certified and  
6           signed by the appraiser or appraisers; and state that the  
7           appraiser or appraisers have personally examined the  
8           described property. The appraisal shall be filed and  
9           preserved by the savings bank. In addition, the appraisal  
10          shall be prepared and reported in accordance with the  
11          Standards of Professional Practice and the ethical rules  
12          of the Appraisal Foundation as adopted and promulgated by  
13          the Appraisal Subcommittee.

14          (d) If appraisals of real estate securing a savings bank's  
15          loans are obtained as part of an examination by the  
16          Commissioner, the cost of those appraisals shall promptly be  
17          paid by the savings bank directly to the appraiser or  
18          appraisers.

19          (e) Any violation of this Article shall constitute an  
20          unsafe or unsound practice. Any person who knowingly violates  
21          any provision of this Article shall be subject to enforcement  
22          action or civil money penalties as provided for in this Act.

23          (f) For purposes of this Article, "underwriting" shall  
24          mean the process of compiling information to support a  
25          determination as to whether an investment or extension of  
26          credit shall be made by a savings bank. It shall include, but

1 not be limited to, evaluating a borrower's creditworthiness,  
2 determination of the value of the underlying collateral,  
3 market factors, and the appropriateness of the investment or  
4 loan for the savings bank. Underwriting as used herein does  
5 not include the agreement to purchase unsold portions of  
6 public offerings of stocks or bonds as commonly used in  
7 corporate securities issuances and sales.

8 (g) For purposes of this Section, the following  
9 definitions shall apply:

10 (1) "Federal Act" means Title XI of the Financial  
11 Institutions Reform, Recovery, and Enforcement Act of 1989  
12 and regulations adopted pursuant thereto.

13 (2) "Appraisal Subcommittee" means the designee of the  
14 heads of the Federal Financial Institutions Examination  
15 Council Act of 1978 (12 U.S.C. 3301 et seq.).

16 (3) "Appraisal Foundation" means the Appraisal  
17 Foundation that was incorporated as an Illinois  
18 not-for-profit corporation on November 30, 1987.

19 (Source: P.A. 90-665, eff. 7-30-98; revised 7-30-21.)

20 Section 110. The Illinois Credit Union Act is amended by  
21 changing Section 20 as follows:

22 (205 ILCS 305/20) (from Ch. 17, par. 4421)

23 Sec. 20. Election or appointment of officials.

24 (1) The credit union shall be directed by a board of

1 directors consisting of no less than 7 in number, to be elected  
2 at the annual meeting by and from the members. Directors shall  
3 hold office until the next annual meeting, unless their terms  
4 are staggered. Upon amendment of its bylaws, a credit union  
5 may divide the directors into 2 or 3 classes with each class as  
6 nearly equal in number as possible. The term of office of the  
7 directors of the first class shall expire at the first annual  
8 meeting after their election, that of the second class shall  
9 expire at the second annual meeting after their election, and  
10 that of the third class, if any, shall expire at the third  
11 annual meeting after their election. At each annual meeting  
12 after the classification, the number of directors equal to the  
13 number of directors whose terms expire at the time of the  
14 meeting shall be elected to hold office until the second  
15 succeeding annual meeting if there are 2 classes or until the  
16 third succeeding annual meeting if there are 3 classes. A  
17 director shall hold office for the term for which he or she is  
18 elected and until his or her successor is elected and  
19 qualified.

20 (1.5) Except as provided in subsection (1.10), in all  
21 elections for directors, every member has the right to vote,  
22 in person, by proxy, or by secure electronic record if  
23 approved by the board of directors, the number of shares owned  
24 by him, or in the case of a member other than a natural person,  
25 the member's one vote, for as many persons as there are  
26 directors to be elected, or to cumulate such shares, and give

1 one candidate as many votes as the number of directors  
2 multiplied by the number of his shares equals, or to  
3 distribute them on the same principle among as many candidates  
4 as he may desire and the directors shall not be elected in any  
5 other manner. Shares held in a joint account owned by more than  
6 one member may be voted by any one of the members, however, the  
7 number of cumulative votes cast may not exceed a total equal to  
8 the number of shares multiplied by the number of directors to  
9 be elected. A majority of the shares entitled to vote shall be  
10 represented either in person or by proxy for the election of  
11 directors. Each director shall wholly take and subscribe to an  
12 oath that he will diligently and honestly perform his duties  
13 in administering the affairs of the credit union, that while  
14 he may delegate to another the performance of those  
15 administrative duties he is not thereby relieved from his  
16 responsibility for their performance, that he will not  
17 knowingly violate or permit to be violated any law applicable  
18 to the credit union, and that he is the owner of at least one  
19 share of the credit union.

20 (1.10) Upon amendment of a credit union's bylaws approved  
21 by the members, in all elections for directors, every member  
22 who is a natural person shall have the right to cast one vote,  
23 regardless of the number of his or her shares, in person, by  
24 proxy, or by secure electronic record if approved by the board  
25 of directors, for as many persons as there are directors to be  
26 elected.

1 (1.15) If the board of directors has adopted a policy  
2 addressing age eligibility standards on voting, holding  
3 office, or petitioning the board, then a credit union may  
4 require (i) that members be at least 18 years of age by the  
5 date of the meeting in order to vote at meetings of the  
6 members, sign nominating petitions, or sign petitions  
7 requesting special meetings, and (ii) that members be at least  
8 18 years of age by the date of election or appointment in order  
9 to hold elective or appointive office.

10 (2) The board of directors shall appoint from among the  
11 members of the credit union, a supervisory committee of not  
12 less than 3 members at the organization meeting and within 30  
13 days following each annual meeting of the members for such  
14 terms as the bylaws provide. Members of the supervisory  
15 committee may, but need not be, on the board of directors, but  
16 shall not be officers of the credit union, members of the  
17 credit committee, or the credit manager if no credit committee  
18 has been appointed.

19 (3) The board of directors may appoint, from among the  
20 members of the credit union, a credit committee consisting of  
21 an odd number, not less than 3 for such terms as the bylaws  
22 provide. Members of the credit committee may, but need not be,  
23 directors or officers of the credit union, but shall not be  
24 members of the supervisory committee.

25 (4) The board of directors may appoint from among the  
26 members of the credit union a membership committee of one or

1 more persons. If appointed, the committee shall act upon all  
2 applications for membership and submit a report of its actions  
3 to the board of directors at the next regular meeting for  
4 review. If no membership committee is appointed, credit union  
5 management shall act upon all applications for membership and  
6 submit a report of its actions to the board of directors at the  
7 next regular meeting for review.

8 (5) As used in this Section, "electronic" and "electronic  
9 record" have the meanings ascribed to those terms in the  
10 Uniform Electronic Transactions Act. As used in this Section,  
11 "secured electronic record" means an electronic record that  
12 meets the criteria set forth in the Uniform Electronic  
13 Transactions Act.

14 (Source: P.A. 102-38, eff. 6-25-21; revised 8-3-21.)

15 Section 115. The Illinois Community Reinvestment Act is  
16 amended by changing Section 35-1 as follows:

17 (205 ILCS 735/35-1)

18 Sec. 35-1. Short title. This Article ~~Act~~ may be cited as  
19 the Illinois Community Reinvestment Act. References in this  
20 Article to "this Act" mean this Article.

21 (Source: P.A. 101-657, eff. 3-23-21; revised 7-16-21.)

22 Section 120. The Specialized Mental Health Rehabilitation  
23 Act of 2013 is amended by changing Section 5-112 as follows:

1 (210 ILCS 49/5-112)

2 Sec. 5-112. Bed reduction payments. The Department of  
3 Healthcare and Family Services shall make payments to  
4 facilities licensed under this Act for the purpose of reducing  
5 bed capacity and room occupancy. Facilities desiring to  
6 participate in these payments shall submit a proposal to the  
7 Department for review. In the proposal the facility shall  
8 detail the number of beds that are seeking to eliminate and the  
9 price they are requesting to eliminate those beds. The  
10 facility shall also detail in their proposal if the affected  
11 ~~effected~~ beds would reduce room occupancy from 3 or 4 beds to  
12 double occupancy or if ~~is~~ the bed elimination would create  
13 single occupancy. Priority will be given to proposals that  
14 eliminate the use of three-person or four-person occupancy  
15 rooms. Proposals shall be collected by the Department within a  
16 specific time period and the Department will negotiate all  
17 payments before making final awards to ensure that the funding  
18 appropriated is sufficient to fund the awards. Payments shall  
19 not be less than \$25,000 per bed and proposals to eliminate  
20 beds that lead to single occupancy rooms shall receive an  
21 additional \$10,000 per bed over and above any other negotiated  
22 bed elimination payment. Before a facility can receive payment  
23 under this Section, the facility must receive approval from  
24 the Department of Public Health for the permanent removal of  
25 the beds for which they are receiving payment. Payment for the



1 elimination of the beds shall be made within 15 days of the  
2 facility notifying the Department of Public Health about the  
3 bed license elimination. Under no circumstances shall a  
4 facility be allowed to increase the capacity of a facility  
5 once payment has been received for the elimination of beds.

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

7 Section 125. The Emergency Medical Services (EMS) Systems  
8 Act is amended by changing Sections 3.116, 3.117, and 3.117.5  
9 as follows:

10 (210 ILCS 50/3.116)

11 Sec. 3.116. Hospital Stroke Care; definitions. As used in  
12 Sections 3.116 through 3.119, 3.130, 3.200, and 3.226 of this  
13 Act:

14 "Acute Stroke-Ready Hospital" means a hospital that has  
15 been designated by the Department as meeting the criteria for  
16 providing emergent stroke care. Designation may be provided  
17 after a hospital has been certified or through application and  
18 designation as such.

19 "Certification" or "certified" means certification, using  
20 evidence-based standards, from a nationally recognized  
21 ~~nationally recognized~~ certifying body approved by the  
22 Department.

23 "Comprehensive Stroke Center" means a hospital that has  
24 been certified and has been designated as such.

1 "Designation" or "designated" means the Department's  
2 recognition of a hospital as a Comprehensive Stroke Center,  
3 Primary Stroke Center, or Acute Stroke-Ready Hospital.

4 "Emergent stroke care" is emergency medical care that  
5 includes diagnosis and emergency medical treatment of acute  
6 stroke patients.

7 "Emergent Stroke Ready Hospital" means a hospital that has  
8 been designated by the Department as meeting the criteria for  
9 providing emergent stroke care.

10 "Primary Stroke Center" means a hospital that has been  
11 certified by a Department-approved, nationally recognized  
12 ~~nationally recognized~~ certifying body and designated as such  
13 by the Department.

14 "Regional Stroke Advisory Subcommittee" means a  
15 subcommittee formed within each Regional EMS Advisory  
16 Committee to advise the Director and the Region's EMS Medical  
17 Directors Committee on the triage, treatment, and transport of  
18 possible acute stroke patients and to select the Region's  
19 representative to the State Stroke Advisory Subcommittee. At  
20 minimum, the Regional Stroke Advisory Subcommittee shall  
21 consist of: one representative from the EMS Medical Directors  
22 Committee; one EMS coordinator from a Resource Hospital; one  
23 administrative representative or his or her designee from each  
24 level of stroke care, including Comprehensive Stroke Centers  
25 within the Region, if any, Primary Stroke Centers within the  
26 Region, if any, and Acute Stroke-Ready Hospitals within the

1 Region, if any; one physician from each level of stroke care,  
2 including one physician who is a neurologist or who provides  
3 advanced stroke care at a Comprehensive Stroke Center in the  
4 Region, if any, one physician who is a neurologist or who  
5 provides acute stroke care at a Primary Stroke Center in the  
6 Region, if any, and one physician who provides acute stroke  
7 care at an Acute Stroke-Ready Hospital in the Region, if any;  
8 one nurse practicing in each level of stroke care, including  
9 one nurse from a Comprehensive Stroke Center in the Region, if  
10 any, one nurse from a Primary Stroke Center in the Region, if  
11 any, and one nurse from an Acute Stroke-Ready Hospital in the  
12 Region, if any; one representative from both a public and a  
13 private vehicle service provider that transports possible  
14 acute stroke patients within the Region; the State-designated  
15 regional EMS Coordinator; and a fire chief or his or her  
16 designee from the EMS Region, if the Region serves a  
17 population of more than 2,000,000. The Regional Stroke  
18 Advisory Subcommittee shall establish bylaws to ensure equal  
19 membership that rotates and clearly delineates committee  
20 responsibilities and structure. Of the members first  
21 appointed, one-third shall be appointed for a term of one  
22 year, one-third shall be appointed for a term of 2 years, and  
23 the remaining members shall be appointed for a term of 3 years.  
24 The terms of subsequent appointees shall be 3 years.

25 "State Stroke Advisory Subcommittee" means a standing  
26 advisory body within the State Emergency Medical Services

1 Advisory Council.

2 (Source: P.A. 98-1001, eff. 1-1-15; revised 7-16-21.)

3 (210 ILCS 50/3.117)

4 Sec. 3.117. Hospital designations.

5 (a) The Department shall attempt to designate Primary  
6 Stroke Centers in all areas of the State.

7 (1) The Department shall designate as many certified  
8 Primary Stroke Centers as apply for that designation  
9 provided they are certified by a nationally recognized  
10 ~~nationally recognized~~ certifying body, approved by the  
11 Department, and certification criteria are consistent with  
12 the most current nationally recognized  
13 ~~nationally recognized~~, evidence-based stroke guidelines  
14 related to reducing the occurrence, disabilities, and  
15 death associated with stroke.

16 (2) A hospital certified as a Primary Stroke Center by  
17 a nationally recognized ~~nationally recognized~~ certifying  
18 body approved by the Department, shall send a copy of the  
19 Certificate and annual fee to the Department and shall be  
20 deemed, within 30 business days of its receipt by the  
21 Department, to be a State-designated Primary Stroke  
22 Center.

23 (3) A center designated as a Primary Stroke Center  
24 shall pay an annual fee as determined by the Department  
25 that shall be no less than \$100 and no greater than \$500.

1 All fees shall be deposited into the Stroke Data  
2 Collection Fund.

3 (3.5) With respect to a hospital that is a designated  
4 Primary Stroke Center, the Department shall have the  
5 authority and responsibility to do the following:

6 (A) Suspend or revoke a hospital's Primary Stroke  
7 Center designation upon receiving notice that the  
8 hospital's Primary Stroke Center certification has  
9 lapsed or has been revoked by the State recognized  
10 certifying body.

11 (B) Suspend a hospital's Primary Stroke Center  
12 designation, in extreme circumstances where patients  
13 may be at risk for immediate harm or death, until such  
14 time as the certifying body investigates and makes a  
15 final determination regarding certification.

16 (C) Restore any previously suspended or revoked  
17 Department designation upon notice to the Department  
18 that the certifying body has confirmed or restored the  
19 Primary Stroke Center certification of that previously  
20 designated hospital.

21 (D) Suspend a hospital's Primary Stroke Center  
22 designation at the request of a hospital seeking to  
23 suspend its own Department designation.

24 (4) Primary Stroke Center designation shall remain  
25 valid at all times while the hospital maintains its  
26 certification as a Primary Stroke Center, in good

1 standing, with the certifying body. The duration of a  
2 Primary Stroke Center designation shall coincide with the  
3 duration of its Primary Stroke Center certification. Each  
4 designated Primary Stroke Center shall have its  
5 designation automatically renewed upon the Department's  
6 receipt of a copy of the accrediting body's certification  
7 renewal.

8 (5) A hospital that no longer meets nationally  
9 recognized ~~nationally recognized~~, evidence-based  
10 standards for Primary Stroke Centers, or loses its Primary  
11 Stroke Center certification, shall notify the Department  
12 and the Regional EMS Advisory Committee within 5 business  
13 days.

14 (a-5) The Department shall attempt to designate  
15 Comprehensive Stroke Centers in all areas of the State.

16 (1) The Department shall designate as many certified  
17 Comprehensive Stroke Centers as apply for that  
18 designation, provided that the Comprehensive Stroke  
19 Centers are certified by a nationally recognized  
20 ~~nationally recognized~~ certifying body approved by the  
21 Department, and provided that the certifying body's  
22 certification criteria are consistent with the most  
23 current nationally recognized ~~nationally recognized~~ and  
24 evidence-based stroke guidelines for reducing the  
25 occurrence of stroke and the disabilities and death  
26 associated with stroke.

1           (2) A hospital certified as a Comprehensive Stroke  
2 Center shall send a copy of the Certificate and annual fee  
3 to the Department and shall be deemed, within 30 business  
4 days of its receipt by the Department, to be a  
5 State-designated Comprehensive Stroke Center.

6           (3) A hospital designated as a Comprehensive Stroke  
7 Center shall pay an annual fee as determined by the  
8 Department that shall be no less than \$100 and no greater  
9 than \$500. All fees shall be deposited into the Stroke  
10 Data Collection Fund.

11           (4) With respect to a hospital that is a designated  
12 Comprehensive Stroke Center, the Department shall have the  
13 authority and responsibility to do the following:

14           (A) Suspend or revoke the hospital's Comprehensive  
15 Stroke Center designation upon receiving notice that  
16 the hospital's Comprehensive Stroke Center  
17 certification has lapsed or has been revoked by the  
18 State recognized certifying body.

19           (B) Suspend the hospital's Comprehensive Stroke  
20 Center designation, in extreme circumstances in which  
21 patients may be at risk for immediate harm or death,  
22 until such time as the certifying body investigates  
23 and makes a final determination regarding  
24 certification.

25           (C) Restore any previously suspended or revoked  
26 Department designation upon notice to the Department

1           that the certifying body has confirmed or restored the  
2           Comprehensive Stroke Center certification of that  
3           previously designated hospital.

4           (D) Suspend the hospital's Comprehensive Stroke  
5           Center designation at the request of a hospital  
6           seeking to suspend its own Department designation.

7           (5) Comprehensive Stroke Center designation shall  
8           remain valid at all times while the hospital maintains its  
9           certification as a Comprehensive Stroke Center, in good  
10          standing, with the certifying body. The duration of a  
11          Comprehensive Stroke Center designation shall coincide  
12          with the duration of its Comprehensive Stroke Center  
13          certification. Each designated Comprehensive Stroke Center  
14          shall have its designation automatically renewed upon the  
15          Department's receipt of a copy of the certifying body's  
16          certification renewal.

17          (6) A hospital that no longer meets nationally  
18          recognized ~~nationally recognized~~, evidence-based  
19          standards for Comprehensive Stroke Centers, or loses its  
20          Comprehensive Stroke Center certification, shall notify  
21          the Department and the Regional EMS Advisory Committee  
22          within 5 business days.

23          (b) Beginning on the first day of the month that begins 12  
24          months after the adoption of rules authorized by this  
25          subsection, the Department shall attempt to designate  
26          hospitals as Acute Stroke-Ready Hospitals in all areas of the



1 State. Designation may be approved by the Department after a  
2 hospital has been certified as an Acute Stroke-Ready Hospital  
3 or through application and designation by the Department. For  
4 any hospital that is designated as an Emergent Stroke Ready  
5 Hospital at the time that the Department begins the  
6 designation of Acute Stroke-Ready Hospitals, the Emergent  
7 Stroke Ready designation shall remain intact for the duration  
8 of the 12-month period until that designation expires. Until  
9 the Department begins the designation of hospitals as Acute  
10 Stroke-Ready Hospitals, hospitals may achieve Emergent Stroke  
11 Ready Hospital designation utilizing the processes and  
12 criteria provided in Public Act 96-514.

13 (1) (Blank).

14 (2) Hospitals may apply for, and receive, Acute  
15 Stroke-Ready Hospital designation from the Department,  
16 provided that the hospital attests, on a form developed by  
17 the Department in consultation with the State Stroke  
18 Advisory Subcommittee, that it meets, and will continue to  
19 meet, the criteria for Acute Stroke-Ready Hospital  
20 designation and pays an annual fee.

21 A hospital designated as an Acute Stroke-Ready  
22 Hospital shall pay an annual fee as determined by the  
23 Department that shall be no less than \$100 and no greater  
24 than \$500. All fees shall be deposited into the Stroke  
25 Data Collection Fund.

26 (2.5) A hospital may apply for, and receive, Acute

1           Stroke-Ready Hospital designation from the Department,  
2           provided that the hospital provides proof of current Acute  
3           Stroke-Ready Hospital certification and the hospital pays  
4           an annual fee.

5                   (A) Acute Stroke-Ready Hospital designation shall  
6                   remain valid at all times while the hospital maintains  
7                   its certification as an Acute Stroke-Ready Hospital,  
8                   in good standing, with the certifying body.

9                   (B) The duration of an Acute Stroke-Ready Hospital  
10                   designation shall coincide with the duration of its  
11                   Acute Stroke-Ready Hospital certification.

12                   (C) Each designated Acute Stroke-Ready Hospital  
13                   shall have its designation automatically renewed upon  
14                   the Department's receipt of a copy of the certifying  
15                   body's certification renewal and Application for  
16                   Stroke Center Designation form.

17                   (D) A hospital must submit a copy of its  
18                   certification renewal from the certifying body as soon  
19                   as practical but no later than 30 business days after  
20                   that certification is received by the hospital. Upon  
21                   the Department's receipt of the renewal certification,  
22                   the Department shall renew the hospital's Acute  
23                   Stroke-Ready Hospital designation.

24                   (E) A hospital designated as an Acute Stroke-Ready  
25                   Hospital shall pay an annual fee as determined by the  
26                   Department that shall be no less than \$100 and no

1 greater than \$500. All fees shall be deposited into  
2 the Stroke Data Collection Fund.

3 (3) Hospitals seeking Acute Stroke-Ready Hospital  
4 designation that do not have certification shall develop  
5 policies and procedures that are consistent with  
6 nationally recognized ~~nationally recognized~~,  
7 evidence-based protocols for the provision of emergent  
8 stroke care. Hospital policies relating to emergent stroke  
9 care and stroke patient outcomes shall be reviewed at  
10 least annually, or more often as needed, by a hospital  
11 committee that oversees quality improvement. Adjustments  
12 shall be made as necessary to advance the quality of  
13 stroke care delivered. Criteria for Acute Stroke-Ready  
14 Hospital designation of hospitals shall be limited to the  
15 ability of a hospital to:

16 (A) create written acute care protocols related to  
17 emergent stroke care;

18 (A-5) participate in the data collection system  
19 provided in Section 3.118, if available;

20 (B) maintain a written transfer agreement with one  
21 or more hospitals that have neurosurgical expertise;

22 (C) designate a Clinical Director of Stroke Care  
23 who shall be a clinical member of the hospital staff  
24 with training or experience, as defined by the  
25 facility, in the care of patients with cerebrovascular  
26 disease. This training or experience may include, but

1 is not limited to, completion of a fellowship or other  
2 specialized training in the area of cerebrovascular  
3 disease, attendance at national courses, or prior  
4 experience in neuroscience intensive care units. The  
5 Clinical Director of Stroke Care may be a neurologist,  
6 neurosurgeon, emergency medicine physician, internist,  
7 radiologist, advanced practice registered nurse, or  
8 physician's assistant;

9 (C-5) provide rapid access to an acute stroke  
10 team, as defined by the facility, that considers and  
11 reflects nationally recognized, evidence-based  
12 ~~nationally recognized, evidenced-based~~ protocols or  
13 guidelines;

14 (D) administer thrombolytic therapy, or  
15 subsequently developed medical therapies that meet  
16 nationally recognized ~~nationally recognized,~~  
17 evidence-based stroke guidelines;

18 (E) conduct brain image tests at all times;

19 (F) conduct blood coagulation studies at all  
20 times;

21 (G) maintain a log of stroke patients, which shall  
22 be available for review upon request by the Department  
23 or any hospital that has a written transfer agreement  
24 with the Acute Stroke-Ready Hospital;

25 (H) admit stroke patients to a unit that can  
26 provide appropriate care that considers and reflects

1           nationally recognized       ~~nationally recognized,~~  
2       evidence-based protocols or guidelines or transfer  
3       stroke patients to an Acute Stroke-Ready Hospital,  
4       Primary Stroke Center, or Comprehensive Stroke Center,  
5       or another facility that can provide the appropriate  
6       care that considers and reflects nationally recognized  
7       ~~nationally recognized,~~ evidence-based protocols or  
8       guidelines; and

9           (I) demonstrate compliance with nationally  
10       recognized ~~nationally recognized~~ quality indicators.

11       (4) With respect to Acute Stroke-Ready Hospital  
12       designation, the Department shall have the authority and  
13       responsibility to do the following:

14           (A) Require hospitals applying for Acute  
15       Stroke-Ready Hospital designation to attest, on a form  
16       developed by the Department in consultation with the  
17       State Stroke Advisory Subcommittee, that the hospital  
18       meets, and will continue to meet, the criteria for an  
19       Acute Stroke-Ready Hospital.

20           (A-5) Require hospitals applying for Acute  
21       Stroke-Ready Hospital designation via national Acute  
22       Stroke-Ready Hospital certification to provide proof  
23       of current Acute Stroke-Ready Hospital certification,  
24       in good standing.

25           The Department shall require a hospital that is  
26       already certified as an Acute Stroke-Ready Hospital to

1 send a copy of the Certificate to the Department.

2 Within 30 business days of the Department's  
3 receipt of a hospital's Acute Stroke-Ready Certificate  
4 and Application for Stroke Center Designation form  
5 that indicates that the hospital is a certified Acute  
6 Stroke-Ready Hospital, in good standing, the hospital  
7 shall be deemed a State-designated Acute Stroke-Ready  
8 Hospital. The Department shall send a designation  
9 notice to each hospital that it designates as an Acute  
10 Stroke-Ready Hospital and shall add the names of  
11 designated Acute Stroke-Ready Hospitals to the website  
12 listing immediately upon designation. The Department  
13 shall immediately remove the name of a hospital from  
14 the website listing when a hospital loses its  
15 designation after notice and, if requested by the  
16 hospital, a hearing.

17 The Department shall develop an Application for  
18 Stroke Center Designation form that contains a  
19 statement that "The above named facility meets the  
20 requirements for Acute Stroke-Ready Hospital  
21 Designation as provided in Section 3.117 of the  
22 Emergency Medical Services (EMS) Systems Act" and  
23 shall instruct the applicant facility to provide: the  
24 hospital name and address; the hospital CEO or  
25 Administrator's typed name and signature; the hospital  
26 Clinical Director of Stroke Care's typed name and

1 signature; and a contact person's typed name, email  
2 address, and phone number.

3 The Application for Stroke Center Designation form  
4 shall contain a statement that instructs the hospital  
5 to "Provide proof of current Acute Stroke-Ready  
6 Hospital certification from a nationally recognized  
7 ~~nationally recognized~~ certifying body approved by the  
8 Department".

9 (B) Designate a hospital as an Acute Stroke-Ready  
10 Hospital no more than 30 business days after receipt  
11 of an attestation that meets the requirements for  
12 attestation, unless the Department, within 30 days of  
13 receipt of the attestation, chooses to conduct an  
14 onsite survey prior to designation. If the Department  
15 chooses to conduct an onsite survey prior to  
16 designation, then the onsite survey shall be conducted  
17 within 90 days of receipt of the attestation.

18 (C) Require annual written attestation, on a form  
19 developed by the Department in consultation with the  
20 State Stroke Advisory Subcommittee, by Acute  
21 Stroke-Ready Hospitals to indicate compliance with  
22 Acute Stroke-Ready Hospital criteria, as described in  
23 this Section, and automatically renew Acute  
24 Stroke-Ready Hospital designation of the hospital.

25 (D) Issue an Emergency Suspension of Acute  
26 Stroke-Ready Hospital designation when the Director,

1 or his or her designee, has determined that the  
2 hospital no longer meets the Acute Stroke-Ready  
3 Hospital criteria and an immediate and serious danger  
4 to the public health, safety, and welfare exists. If  
5 the Acute Stroke-Ready Hospital fails to eliminate the  
6 violation immediately or within a fixed period of  
7 time, not exceeding 10 days, as determined by the  
8 Director, the Director may immediately revoke the  
9 Acute Stroke-Ready Hospital designation. The Acute  
10 Stroke-Ready Hospital may appeal the revocation within  
11 15 business days after receiving the Director's  
12 revocation order, by requesting an administrative  
13 hearing.

14 (E) After notice and an opportunity for an  
15 administrative hearing, suspend, revoke, or refuse to  
16 renew an Acute Stroke-Ready Hospital designation, when  
17 the Department finds the hospital is not in  
18 substantial compliance with current Acute Stroke-Ready  
19 Hospital criteria.

20 (c) The Department shall consult with the State Stroke  
21 Advisory Subcommittee for developing the designation,  
22 re-designation, and de-designation processes for Comprehensive  
23 Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready  
24 Hospitals.

25 (d) The Department shall consult with the State Stroke  
26 Advisory Subcommittee as subject matter experts at least



1 annually regarding stroke standards of care.

2 (Source: P.A. 100-513, eff. 1-1-18; revised 7-16-21.)

3 (210 ILCS 50/3.117.5)

4 Sec. 3.117.5. Hospital Stroke Care; grants.

5 (a) In order to encourage the establishment and retention  
6 of Comprehensive Stroke Centers, Primary Stroke Centers, and  
7 Acute Stroke-Ready Hospitals throughout the State, the  
8 Director may award, subject to appropriation, matching grants  
9 to hospitals to be used for the acquisition and maintenance of  
10 necessary infrastructure, including personnel, equipment, and  
11 pharmaceuticals for the diagnosis and treatment of acute  
12 stroke patients. Grants may be used to pay the fee for  
13 certifications by Department approved nationally recognized  
14 ~~nationally recognized~~ certifying bodies or to provide  
15 additional training for directors of stroke care or for  
16 hospital staff.

17 (b) The Director may award grant moneys to Comprehensive  
18 Stroke Centers, Primary Stroke Centers, and Acute Stroke-Ready  
19 Hospitals for developing or enlarging stroke networks, for  
20 stroke education, and to enhance the ability of the EMS System  
21 to respond to possible acute stroke patients.

22 (c) A Comprehensive Stroke Center, Primary Stroke Center,  
23 or Acute Stroke-Ready Hospital, or a hospital seeking  
24 certification as a Comprehensive Stroke Center, Primary Stroke  
25 Center, or Acute Stroke-Ready Hospital or designation as an

1 Acute Stroke-Ready Hospital, may apply to the Director for a  
2 matching grant in a manner and form specified by the Director  
3 and shall provide information as the Director deems necessary  
4 to determine whether the hospital is eligible for the grant.

5 (d) Matching grant awards shall be made to Comprehensive  
6 Stroke Centers, Primary Stroke Centers, Acute Stroke-Ready  
7 Hospitals, or hospitals seeking certification or designation  
8 as a Comprehensive Stroke Center, Primary Stroke Center, or  
9 Acute Stroke-Ready Hospital. The Department may consider  
10 prioritizing grant awards to hospitals in areas with the  
11 highest incidence of stroke, taking into account geographic  
12 diversity, where possible.

13 (Source: P.A. 98-1001, eff. 1-1-15; revised 7-16-21.)

14 Section 130. The Medical Practice Act of 1987 is amended  
15 by changing Section 23 as follows:

16 (225 ILCS 60/23) (from Ch. 111, par. 4400-23)

17 (Text of Section before amendment by P.A. 102-20)

18 (Section scheduled to be repealed on January 1, 2027)

19 Sec. 23. Reports relating to professional conduct and  
20 capacity.

21 (A) Entities required to report.

22 (1) Health care institutions. The chief administrator  
23 or executive officer of any health care institution  
24 licensed by the Illinois Department of Public Health shall

1 report to the Disciplinary Board when any person's  
2 clinical privileges are terminated or are restricted based  
3 on a final determination made in accordance with that  
4 institution's by-laws or rules and regulations that a  
5 person has either committed an act or acts which may  
6 directly threaten patient care or that a person may have a  
7 mental or physical disability that may endanger patients  
8 under that person's care. Such officer also shall report  
9 if a person accepts voluntary termination or restriction  
10 of clinical privileges in lieu of formal action based upon  
11 conduct related directly to patient care or in lieu of  
12 formal action seeking to determine whether a person may  
13 have a mental or physical disability that may endanger  
14 patients under that person's care. The Disciplinary Board  
15 shall, by rule, provide for the reporting to it by health  
16 care institutions of all instances in which a person,  
17 licensed under this Act, who is impaired by reason of age,  
18 drug or alcohol abuse or physical or mental impairment, is  
19 under supervision and, where appropriate, is in a program  
20 of rehabilitation. Such reports shall be strictly  
21 confidential and may be reviewed and considered only by  
22 the members of the Disciplinary Board, or by authorized  
23 staff as provided by rules of the Disciplinary Board.  
24 Provisions shall be made for the periodic report of the  
25 status of any such person not less than twice annually in  
26 order that the Disciplinary Board shall have current

1 information upon which to determine the status of any such  
2 person. Such initial and periodic reports of impaired  
3 physicians shall not be considered records within the  
4 meaning of the ~~The~~ State Records Act and shall be disposed  
5 of, following a determination by the Disciplinary Board  
6 that such reports are no longer required, in a manner and  
7 at such time as the Disciplinary Board shall determine by  
8 rule. The filing of such reports shall be construed as the  
9 filing of a report for purposes of subsection (C) of this  
10 Section.

11 (1.5) Clinical training programs. The program director  
12 of any post-graduate clinical training program shall  
13 report to the Disciplinary Board if a person engaged in a  
14 post-graduate clinical training program at the  
15 institution, including, but not limited to, a residency or  
16 fellowship, separates from the program for any reason  
17 prior to its conclusion. The program director shall  
18 provide all documentation relating to the separation if,  
19 after review of the report, the Disciplinary Board  
20 determines that a review of those documents is necessary  
21 to determine whether a violation of this Act occurred.

22 (2) Professional associations. The President or chief  
23 executive officer of any association or society, of  
24 persons licensed under this Act, operating within this  
25 State shall report to the Disciplinary Board when the  
26 association or society renders a final determination that

1 a person has committed unprofessional conduct related  
2 directly to patient care or that a person may have a mental  
3 or physical disability that may endanger patients under  
4 that person's care.

5 (3) Professional liability insurers. Every insurance  
6 company which offers policies of professional liability  
7 insurance to persons licensed under this Act, or any other  
8 entity which seeks to indemnify the professional liability  
9 of a person licensed under this Act, shall report to the  
10 Disciplinary Board the settlement of any claim or cause of  
11 action, or final judgment rendered in any cause of action,  
12 which alleged negligence in the furnishing of medical care  
13 by such licensed person when such settlement or final  
14 judgment is in favor of the plaintiff.

15 (4) State's Attorneys. The State's Attorney of each  
16 county shall report to the Disciplinary Board, within 5  
17 days, any instances in which a person licensed under this  
18 Act is convicted of any felony or Class A misdemeanor. The  
19 State's Attorney of each county may report to the  
20 Disciplinary Board through a verified complaint any  
21 instance in which the State's Attorney believes that a  
22 physician has willfully violated the notice requirements  
23 of the Parental Notice of Abortion Act of 1995.

24 (5) State agencies. All agencies, boards, commissions,  
25 departments, or other instrumentalities of the government  
26 of the State of Illinois shall report to the Disciplinary

1 Board any instance arising in connection with the  
2 operations of such agency, including the administration of  
3 any law by such agency, in which a person licensed under  
4 this Act has either committed an act or acts which may be a  
5 violation of this Act or which may constitute  
6 unprofessional conduct related directly to patient care or  
7 which indicates that a person licensed under this Act may  
8 have a mental or physical disability that may endanger  
9 patients under that person's care.

10 (B) Mandatory reporting. All reports required by items  
11 (34), (35), and (36) of subsection (A) of Section 22 and by  
12 Section 23 shall be submitted to the Disciplinary Board in a  
13 timely fashion. Unless otherwise provided in this Section, the  
14 reports shall be filed in writing within 60 days after a  
15 determination that a report is required under this Act. All  
16 reports shall contain the following information:

17 (1) The name, address and telephone number of the  
18 person making the report.

19 (2) The name, address and telephone number of the  
20 person who is the subject of the report.

21 (3) The name and date of birth of any patient or  
22 patients whose treatment is a subject of the report, if  
23 available, or other means of identification if such  
24 information is not available, identification of the  
25 hospital or other healthcare facility where the care at  
26 issue in the report was rendered, provided, however, no

1 medical records may be revealed.

2 (4) A brief description of the facts which gave rise  
3 to the issuance of the report, including the dates of any  
4 occurrences deemed to necessitate the filing of the  
5 report.

6 (5) If court action is involved, the identity of the  
7 court in which the action is filed, along with the docket  
8 number and date of filing of the action.

9 (6) Any further pertinent information which the  
10 reporting party deems to be an aid in the evaluation of the  
11 report.

12 The Disciplinary Board or Department may also exercise the  
13 power under Section 38 of this Act to subpoena copies of  
14 hospital or medical records in mandatory report cases alleging  
15 death or permanent bodily injury. Appropriate rules shall be  
16 adopted by the Department with the approval of the  
17 Disciplinary Board.

18 When the Department has received written reports  
19 concerning incidents required to be reported in items (34),  
20 (35), and (36) of subsection (A) of Section 22, the licensee's  
21 failure to report the incident to the Department under those  
22 items shall not be the sole grounds for disciplinary action.

23 Nothing contained in this Section shall act to l in any  
24 way, waive or modify the confidentiality of medical reports  
25 and committee reports to the extent provided by law. Any  
26 information reported or disclosed shall be kept for the

1 confidential use of the Disciplinary Board, the Medical  
2 Coordinators, the Disciplinary Board's attorneys, the medical  
3 investigative staff, and authorized clerical staff, as  
4 provided in this Act, and shall be afforded the same status as  
5 is provided information concerning medical studies in Part 21  
6 of Article VIII of the Code of Civil Procedure, except that the  
7 Department may disclose information and documents to a  
8 federal, State, or local law enforcement agency pursuant to a  
9 subpoena in an ongoing criminal investigation or to a health  
10 care licensing body or medical licensing authority of this  
11 State or another state or jurisdiction pursuant to an official  
12 request made by that licensing body or medical licensing  
13 authority. Furthermore, information and documents disclosed to  
14 a federal, State, or local law enforcement agency may be used  
15 by that agency only for the investigation and prosecution of a  
16 criminal offense, or, in the case of disclosure to a health  
17 care licensing body or medical licensing authority, only for  
18 investigations and disciplinary action proceedings with regard  
19 to a license. Information and documents disclosed to the  
20 Department of Public Health may be used by that Department  
21 only for investigation and disciplinary action regarding the  
22 license of a health care institution licensed by the  
23 Department of Public Health.

24 (C) Immunity from prosecution. Any individual or  
25 organization acting in good faith, and not in a wilful and  
26 wanton manner, in complying with this Act by providing any



1 report or other information to the Disciplinary Board or a  
2 peer review committee, or assisting in the investigation or  
3 preparation of such information, or by voluntarily reporting  
4 to the Disciplinary Board or a peer review committee  
5 information regarding alleged errors or negligence by a person  
6 licensed under this Act, or by participating in proceedings of  
7 the Disciplinary Board or a peer review committee, or by  
8 serving as a member of the Disciplinary Board or a peer review  
9 committee, shall not, as a result of such actions, be subject  
10 to criminal prosecution or civil damages.

11 (D) Indemnification. Members of the Disciplinary Board,  
12 the Licensing Board, the Medical Coordinators, the  
13 Disciplinary Board's attorneys, the medical investigative  
14 staff, physicians retained under contract to assist and advise  
15 the medical coordinators in the investigation, and authorized  
16 clerical staff shall be indemnified by the State for any  
17 actions occurring within the scope of services on the  
18 Disciplinary Board or Licensing Board, done in good faith and  
19 not wilful and wanton in nature. The Attorney General shall  
20 defend all such actions unless he or she determines either  
21 that there would be a conflict of interest in such  
22 representation or that the actions complained of were not in  
23 good faith or were wilful and wanton.

24 Should the Attorney General decline representation, the  
25 member shall have the right to employ counsel of his or her  
26 choice, whose fees shall be provided by the State, after

1 approval by the Attorney General, unless there is a  
2 determination by a court that the member's actions were not in  
3 good faith or were wilful and wanton.

4 The member must notify the Attorney General within 7 days  
5 of receipt of notice of the initiation of any action involving  
6 services of the Disciplinary Board. Failure to so notify the  
7 Attorney General shall constitute an absolute waiver of the  
8 right to a defense and indemnification.

9 The Attorney General shall determine within 7 days after  
10 receiving such notice, whether he or she will undertake to  
11 represent the member.

12 (E) Deliberations of Disciplinary Board. Upon the receipt  
13 of any report called for by this Act, other than those reports  
14 of impaired persons licensed under this Act required pursuant  
15 to the rules of the Disciplinary Board, the Disciplinary Board  
16 shall notify in writing, by certified mail, the person who is  
17 the subject of the report. Such notification shall be made  
18 within 30 days of receipt by the Disciplinary Board of the  
19 report.

20 The notification shall include a written notice setting  
21 forth the person's right to examine the report. Included in  
22 such notification shall be the address at which the file is  
23 maintained, the name of the custodian of the reports, and the  
24 telephone number at which the custodian may be reached. The  
25 person who is the subject of the report shall submit a written  
26 statement responding, clarifying, adding to, or proposing the

1 amending of the report previously filed. The person who is the  
2 subject of the report shall also submit with the written  
3 statement any medical records related to the report. The  
4 statement and accompanying medical records shall become a  
5 permanent part of the file and must be received by the  
6 Disciplinary Board no more than 30 days after the date on which  
7 the person was notified by the Disciplinary Board of the  
8 existence of the original report.

9 The Disciplinary Board shall review all reports received  
10 by it, together with any supporting information and responding  
11 statements submitted by persons who are the subject of  
12 reports. The review by the Disciplinary Board shall be in a  
13 timely manner but in no event, shall the Disciplinary Board's  
14 initial review of the material contained in each disciplinary  
15 file be less than 61 days nor more than 180 days after the  
16 receipt of the initial report by the Disciplinary Board.

17 When the Disciplinary Board makes its initial review of  
18 the materials contained within its disciplinary files, the  
19 Disciplinary Board shall, in writing, make a determination as  
20 to whether there are sufficient facts to warrant further  
21 investigation or action. Failure to make such determination  
22 within the time provided shall be deemed to be a determination  
23 that there are not sufficient facts to warrant further  
24 investigation or action.

25 Should the Disciplinary Board find that there are not  
26 sufficient facts to warrant further investigation, or action,

1 the report shall be accepted for filing and the matter shall be  
2 deemed closed and so reported to the Secretary. The Secretary  
3 shall then have 30 days to accept the Disciplinary Board's  
4 decision or request further investigation. The Secretary shall  
5 inform the Board of the decision to request further  
6 investigation, including the specific reasons for the  
7 decision. The individual or entity filing the original report  
8 or complaint and the person who is the subject of the report or  
9 complaint shall be notified in writing by the Secretary of any  
10 final action on their report or complaint. The Department  
11 shall disclose to the individual or entity who filed the  
12 original report or complaint, on request, the status of the  
13 Disciplinary Board's review of a specific report or complaint.  
14 Such request may be made at any time, including prior to the  
15 Disciplinary Board's determination as to whether there are  
16 sufficient facts to warrant further investigation or action.

17 (F) Summary reports. The Disciplinary Board shall prepare,  
18 on a timely basis, but in no event less than once every other  
19 month, a summary report of final disciplinary actions taken  
20 upon disciplinary files maintained by the Disciplinary Board.  
21 The summary reports shall be made available to the public upon  
22 request and payment of the fees set by the Department. This  
23 publication may be made available to the public on the  
24 Department's website. Information or documentation relating to  
25 any disciplinary file that is closed without disciplinary  
26 action taken shall not be disclosed and shall be afforded the

1 same status as is provided by Part 21 of Article VIII of the  
2 Code of Civil Procedure.

3 (G) Any violation of this Section shall be a Class A  
4 misdemeanor.

5 (H) If any such person violates the provisions of this  
6 Section an action may be brought in the name of the People of  
7 the State of Illinois, through the Attorney General of the  
8 State of Illinois, for an order enjoining such violation or  
9 for an order enforcing compliance with this Section. Upon  
10 filing of a verified petition in such court, the court may  
11 issue a temporary restraining order without notice or bond and  
12 may preliminarily or permanently enjoin such violation, and if  
13 it is established that such person has violated or is  
14 violating the injunction, the court may punish the offender  
15 for contempt of court. Proceedings under this paragraph shall  
16 be in addition to, and not in lieu of, all other remedies and  
17 penalties provided for by this Section.

18 (Source: P.A. 98-601, eff. 12-30-13; 99-143, eff. 7-27-15;  
19 revised 7-20-21.)

20 (Text of Section after amendment by P.A. 102-20)

21 (Section scheduled to be repealed on January 1, 2027)

22 Sec. 23. Reports relating to professional conduct and  
23 capacity.

24 (A) Entities required to report.

25 (1) Health care institutions. The chief administrator

1 or executive officer of any health care institution  
2 licensed by the Illinois Department of Public Health shall  
3 report to the Medical Board when any person's clinical  
4 privileges are terminated or are restricted based on a  
5 final determination made in accordance with that  
6 institution's by-laws or rules and regulations that a  
7 person has either committed an act or acts which may  
8 directly threaten patient care or that a person may have a  
9 mental or physical disability that may endanger patients  
10 under that person's care. Such officer also shall report  
11 if a person accepts voluntary termination or restriction  
12 of clinical privileges in lieu of formal action based upon  
13 conduct related directly to patient care or in lieu of  
14 formal action seeking to determine whether a person may  
15 have a mental or physical disability that may endanger  
16 patients under that person's care. The Medical Board  
17 shall, by rule, provide for the reporting to it by health  
18 care institutions of all instances in which a person,  
19 licensed under this Act, who is impaired by reason of age,  
20 drug or alcohol abuse or physical or mental impairment, is  
21 under supervision and, where appropriate, is in a program  
22 of rehabilitation. Such reports shall be strictly  
23 confidential and may be reviewed and considered only by  
24 the members of the Medical Board, or by authorized staff  
25 as provided by rules of the Medical Board. Provisions  
26 shall be made for the periodic report of the status of any

1 such person not less than twice annually in order that the  
2 Medical Board shall have current information upon which to  
3 determine the status of any such person. Such initial and  
4 periodic reports of impaired physicians shall not be  
5 considered records within the meaning of the ~~The~~ State  
6 Records Act and shall be disposed of, following a  
7 determination by the Medical Board that such reports are  
8 no longer required, in a manner and at such time as the  
9 Medical Board shall determine by rule. The filing of such  
10 reports shall be construed as the filing of a report for  
11 purposes of subsection (C) of this Section.

12 (1.5) Clinical training programs. The program director  
13 of any post-graduate clinical training program shall  
14 report to the Medical Board if a person engaged in a  
15 post-graduate clinical training program at the  
16 institution, including, but not limited to, a residency or  
17 fellowship, separates from the program for any reason  
18 prior to its conclusion. The program director shall  
19 provide all documentation relating to the separation if,  
20 after review of the report, the Medical Board determines  
21 that a review of those documents is necessary to determine  
22 whether a violation of this Act occurred.

23 (2) Professional associations. The President or chief  
24 executive officer of any association or society, of  
25 persons licensed under this Act, operating within this  
26 State shall report to the Medical Board when the

1 association or society renders a final determination that  
2 a person has committed unprofessional conduct related  
3 directly to patient care or that a person may have a mental  
4 or physical disability that may endanger patients under  
5 that person's care.

6 (3) Professional liability insurers. Every insurance  
7 company which offers policies of professional liability  
8 insurance to persons licensed under this Act, or any other  
9 entity which seeks to indemnify the professional liability  
10 of a person licensed under this Act, shall report to the  
11 Medical Board the settlement of any claim or cause of  
12 action, or final judgment rendered in any cause of action,  
13 which alleged negligence in the furnishing of medical care  
14 by such licensed person when such settlement or final  
15 judgment is in favor of the plaintiff.

16 (4) State's Attorneys. The State's Attorney of each  
17 county shall report to the Medical Board, within 5 days,  
18 any instances in which a person licensed under this Act is  
19 convicted of any felony or Class A misdemeanor. The  
20 State's Attorney of each county may report to the Medical  
21 Board through a verified complaint any instance in which  
22 the State's Attorney believes that a physician has  
23 willfully violated the notice requirements of the Parental  
24 Notice of Abortion Act of 1995.

25 (5) State agencies. All agencies, boards, commissions,  
26 departments, or other instrumentalities of the government



1 of the State of Illinois shall report to the Medical Board  
2 any instance arising in connection with the operations of  
3 such agency, including the administration of any law by  
4 such agency, in which a person licensed under this Act has  
5 either committed an act or acts which may be a violation of  
6 this Act or which may constitute unprofessional conduct  
7 related directly to patient care or which indicates that a  
8 person licensed under this Act may have a mental or  
9 physical disability that may endanger patients under that  
10 person's care.

11 (B) Mandatory reporting. All reports required by items  
12 (34), (35), and (36) of subsection (A) of Section 22 and by  
13 Section 23 shall be submitted to the Medical Board in a timely  
14 fashion. Unless otherwise provided in this Section, the  
15 reports shall be filed in writing within 60 days after a  
16 determination that a report is required under this Act. All  
17 reports shall contain the following information:

18 (1) The name, address and telephone number of the  
19 person making the report.

20 (2) The name, address and telephone number of the  
21 person who is the subject of the report.

22 (3) The name and date of birth of any patient or  
23 patients whose treatment is a subject of the report, if  
24 available, or other means of identification if such  
25 information is not available, identification of the  
26 hospital or other healthcare facility where the care at

1 issue in the report was rendered, provided, however, no  
2 medical records may be revealed.

3 (4) A brief description of the facts which gave rise  
4 to the issuance of the report, including the dates of any  
5 occurrences deemed to necessitate the filing of the  
6 report.

7 (5) If court action is involved, the identity of the  
8 court in which the action is filed, along with the docket  
9 number and date of filing of the action.

10 (6) Any further pertinent information which the  
11 reporting party deems to be an aid in the evaluation of the  
12 report.

13 The Medical Board or Department may also exercise the  
14 power under Section 38 of this Act to subpoena copies of  
15 hospital or medical records in mandatory report cases alleging  
16 death or permanent bodily injury. Appropriate rules shall be  
17 adopted by the Department with the approval of the Medical  
18 Board.

19 When the Department has received written reports  
20 concerning incidents required to be reported in items (34),  
21 (35), and (36) of subsection (A) of Section 22, the licensee's  
22 failure to report the incident to the Department under those  
23 items shall not be the sole grounds for disciplinary action.

24 Nothing contained in this Section shall act to, in any  
25 way, waive or modify the confidentiality of medical reports  
26 and committee reports to the extent provided by law. Any

1 information reported or disclosed shall be kept for the  
2 confidential use of the Medical Board, the Medical  
3 Coordinators, the Medical Board's attorneys, the medical  
4 investigative staff, and authorized clerical staff, as  
5 provided in this Act, and shall be afforded the same status as  
6 is provided information concerning medical studies in Part 21  
7 of Article VIII of the Code of Civil Procedure, except that the  
8 Department may disclose information and documents to a  
9 federal, State, or local law enforcement agency pursuant to a  
10 subpoena in an ongoing criminal investigation or to a health  
11 care licensing body or medical licensing authority of this  
12 State or another state or jurisdiction pursuant to an official  
13 request made by that licensing body or medical licensing  
14 authority. Furthermore, information and documents disclosed to  
15 a federal, State, or local law enforcement agency may be used  
16 by that agency only for the investigation and prosecution of a  
17 criminal offense, or, in the case of disclosure to a health  
18 care licensing body or medical licensing authority, only for  
19 investigations and disciplinary action proceedings with regard  
20 to a license. Information and documents disclosed to the  
21 Department of Public Health may be used by that Department  
22 only for investigation and disciplinary action regarding the  
23 license of a health care institution licensed by the  
24 Department of Public Health.

25 (C) Immunity from prosecution. Any individual or  
26 organization acting in good faith, and not in a wilful and

1 wanton manner, in complying with this Act by providing any  
2 report or other information to the Medical Board or a peer  
3 review committee, or assisting in the investigation or  
4 preparation of such information, or by voluntarily reporting  
5 to the Medical Board or a peer review committee information  
6 regarding alleged errors or negligence by a person licensed  
7 under this Act, or by participating in proceedings of the  
8 Medical Board or a peer review committee, or by serving as a  
9 member of the Medical Board or a peer review committee, shall  
10 not, as a result of such actions, be subject to criminal  
11 prosecution or civil damages.

12 (D) Indemnification. Members of the Medical Board, the  
13 Medical Coordinators, the Medical Board's attorneys, the  
14 medical investigative staff, physicians retained under  
15 contract to assist and advise the medical coordinators in the  
16 investigation, and authorized clerical staff shall be  
17 indemnified by the State for any actions occurring within the  
18 scope of services on the Medical Board, done in good faith and  
19 not wilful and wanton in nature. The Attorney General shall  
20 defend all such actions unless he or she determines either  
21 that there would be a conflict of interest in such  
22 representation or that the actions complained of were not in  
23 good faith or were wilful and wanton.

24 Should the Attorney General decline representation, the  
25 member shall have the right to employ counsel of his or her  
26 choice, whose fees shall be provided by the State, after

1 approval by the Attorney General, unless there is a  
2 determination by a court that the member's actions were not in  
3 good faith or were wilful and wanton.

4 The member must notify the Attorney General within 7 days  
5 of receipt of notice of the initiation of any action involving  
6 services of the Medical Board. Failure to so notify the  
7 Attorney General shall constitute an absolute waiver of the  
8 right to a defense and indemnification.

9 The Attorney General shall determine within 7 days after  
10 receiving such notice, whether he or she will undertake to  
11 represent the member.

12 (E) Deliberations of Medical Board. Upon the receipt of  
13 any report called for by this Act, other than those reports of  
14 impaired persons licensed under this Act required pursuant to  
15 the rules of the Medical Board, the Medical Board shall notify  
16 in writing, by mail or email, the person who is the subject of  
17 the report. Such notification shall be made within 30 days of  
18 receipt by the Medical Board of the report.

19 The notification shall include a written notice setting  
20 forth the person's right to examine the report. Included in  
21 such notification shall be the address at which the file is  
22 maintained, the name of the custodian of the reports, and the  
23 telephone number at which the custodian may be reached. The  
24 person who is the subject of the report shall submit a written  
25 statement responding, clarifying, adding to, or proposing the  
26 amending of the report previously filed. The person who is the

1 subject of the report shall also submit with the written  
2 statement any medical records related to the report. The  
3 statement and accompanying medical records shall become a  
4 permanent part of the file and must be received by the Medical  
5 Board no more than 30 days after the date on which the person  
6 was notified by the Medical Board of the existence of the  
7 original report.

8 The Medical Board shall review all reports received by it,  
9 together with any supporting information and responding  
10 statements submitted by persons who are the subject of  
11 reports. The review by the Medical Board shall be in a timely  
12 manner but in no event, shall the Medical Board's initial  
13 review of the material contained in each disciplinary file be  
14 less than 61 days nor more than 180 days after the receipt of  
15 the initial report by the Medical Board.

16 When the Medical Board makes its initial review of the  
17 materials contained within its disciplinary files, the Medical  
18 Board shall, in writing, make a determination as to whether  
19 there are sufficient facts to warrant further investigation or  
20 action. Failure to make such determination within the time  
21 provided shall be deemed to be a determination that there are  
22 not sufficient facts to warrant further investigation or  
23 action.

24 Should the Medical Board find that there are not  
25 sufficient facts to warrant further investigation, or action,  
26 the report shall be accepted for filing and the matter shall be

1 deemed closed and so reported to the Secretary. The Secretary  
2 shall then have 30 days to accept the Medical Board's decision  
3 or request further investigation. The Secretary shall inform  
4 the Medical Board of the decision to request further  
5 investigation, including the specific reasons for the  
6 decision. The individual or entity filing the original report  
7 or complaint and the person who is the subject of the report or  
8 complaint shall be notified in writing by the Secretary of any  
9 final action on their report or complaint. The Department  
10 shall disclose to the individual or entity who filed the  
11 original report or complaint, on request, the status of the  
12 Medical Board's review of a specific report or complaint. Such  
13 request may be made at any time, including prior to the Medical  
14 Board's determination as to whether there are sufficient facts  
15 to warrant further investigation or action.

16 (F) Summary reports. The Medical Board shall prepare, on a  
17 timely basis, but in no event less than once every other month,  
18 a summary report of final disciplinary actions taken upon  
19 disciplinary files maintained by the Medical Board. The  
20 summary reports shall be made available to the public upon  
21 request and payment of the fees set by the Department. This  
22 publication may be made available to the public on the  
23 Department's website. Information or documentation relating to  
24 any disciplinary file that is closed without disciplinary  
25 action taken shall not be disclosed and shall be afforded the  
26 same status as is provided by Part 21 of Article VIII of the

1 Code of Civil Procedure.

2 (G) Any violation of this Section shall be a Class A  
3 misdemeanor.

4 (H) If any such person violates the provisions of this  
5 Section an action may be brought in the name of the People of  
6 the State of Illinois, through the Attorney General of the  
7 State of Illinois, for an order enjoining such violation or  
8 for an order enforcing compliance with this Section. Upon  
9 filing of a verified petition in such court, the court may  
10 issue a temporary restraining order without notice or bond and  
11 may preliminarily or permanently enjoin such violation, and if  
12 it is established that such person has violated or is  
13 violating the injunction, the court may punish the offender  
14 for contempt of court. Proceedings under this paragraph shall  
15 be in addition to, and not in lieu of, all other remedies and  
16 penalties provided for by this Section.

17 (Source: P.A. 102-20, eff. 1-1-22; revised 7-20-21.)

18 Section 135. The Veterinary Medicine and Surgery Practice  
19 Act of 2004 is amended by changing Section 25.2a as follows:

20 (225 ILCS 115/25.2a)

21 (Section scheduled to be repealed on January 1, 2024)

22 Sec. 25.2a. Confidentiality. All information collected by  
23 the Department in the course of an examination or  
24 investigation of a licensee or applicant, including, but not



1 limited to, any complaint against a licensee filed with the  
2 Department and information collected to investigate any such  
3 complaint, shall be maintained for the confidential use of the  
4 Department and shall not be disclosed. The Department may not  
5 disclose the information to anyone other than law enforcement  
6 officials, other regulatory agencies that have an appropriate  
7 regulatory interest as determined by the Secretary, or ~~to~~ a  
8 party presenting a lawful subpoena to the Department.  
9 Information and documents disclosed to a federal, State,  
10 county, or local law enforcement agency shall not be disclosed  
11 by the agency for any purpose to any other agency or person. A  
12 formal complaint filed against a licensee by the Department or  
13 any order issued by the Department against a licensee or  
14 applicant shall be a public record, except as otherwise  
15 prohibited by law.

16 (Source: P.A. 98-339, eff. 12-31-13; revised 7-16-21.)

17 Section 140. The Cemetery Oversight Act is amended by  
18 changing Section 25-10 as follows:

19 (225 ILCS 411/25-10)

20 (Section scheduled to be repealed on January 1, 2027)

21 Sec. 25-10. Grounds for disciplinary action.

22 (a) The Department may refuse to issue or renew a license  
23 or may revoke, suspend, place on probation, reprimand, or take  
24 other disciplinary or non-disciplinary action as the

1 Department may deem appropriate, including fines not to exceed  
2 \$10,000 for each violation, with regard to any license under  
3 this Act, for any one or combination of the following:

4 (1) Material misstatement in furnishing information to  
5 the Department.

6 (2) Violations of this Act, except for Section 20-8.

7 (3) Conviction of or entry of a plea of guilty or nolo  
8 contendere, finding of guilt, jury verdict, or entry of  
9 judgment or sentencing, including, but not limited to,  
10 convictions, preceding sentences of supervision,  
11 conditional discharge, or first offender probation under  
12 the law of any jurisdiction of the United States that is  
13 (i) a Class X felony or (ii) a felony, an essential element  
14 of which is fraud or dishonesty that is directly related  
15 to the practice of cemetery operations.

16 (4) Fraud or any misrepresentation in applying for or  
17 procuring a license under this Act or in connection with  
18 applying for renewal.

19 (5) Incompetence or misconduct in the practice of  
20 cemetery operations.

21 (6) Gross malpractice.

22 (7) Aiding or assisting another person in violating  
23 any provision of this Act or rules adopted under this Act.

24 (8) Failing, within 10 business days, to provide  
25 information in response to a written request made by the  
26 Department.

1           (9) Engaging in dishonorable, unethical, or  
2 unprofessional conduct of a character likely to deceive,  
3 defraud, or harm the public.

4           (10) Habitual or excessive use or abuse of drugs  
5 defined in law as controlled substances, alcohol,  
6 narcotics, stimulants, or any other substances that  
7 results in the inability to practice pursuant to the  
8 provisions of this Act with reasonable judgment, skill, or  
9 safety while acting under the provisions of this Act.

10           (11) Discipline by another state, territory, foreign  
11 country, the District of Columbia, the United States  
12 government, or any other government agency, if at least  
13 one of the grounds for the discipline is the same or  
14 substantially equivalent to those set forth in this Act.

15           (12) Directly or indirectly giving to or receiving  
16 from any person, firm, corporation, partnership, or  
17 association any fee, commission, rebate, or other form of  
18 compensation for professional services not actually or  
19 personally rendered.

20           (13) A finding by the Department that the licensee,  
21 after having his or her license placed on probationary  
22 status, has violated the terms of probation or failed to  
23 comply with such terms.

24           (14) Willfully making or filing false records or  
25 reports in his or her practice, including, but not limited  
26 to, false records filed with any governmental agency or

1 department.

2 (15) Inability to practice the profession with  
3 reasonable judgment, skill, or safety as a result of  
4 physical illness, including, but not limited to, loss of  
5 motor skill, mental illness, or disability.

6 (16) Failure to comply with an order, decision, or  
7 finding of the Department made pursuant to this Act.

8 (17) Directly or indirectly receiving compensation for  
9 any professional services not actually performed.

10 (18) Practicing under a false or, except as provided  
11 by law, an assumed name.

12 (19) Using or attempting to use an expired, inactive,  
13 suspended, or revoked license or impersonating another  
14 licensee.

15 (20) A finding by the Department that an applicant or  
16 licensee has failed to pay a fine imposed by the  
17 Department.

18 (21) Unjustified failure to honor its contracts.

19 (22) Negligent supervision of a cemetery manager,  
20 customer service employee, employee, or independent  
21 contractor.

22 (23) (Blank).

23 (24) (Blank).

24 (25) (Blank).

25 (b) No action may be taken under this Act against a person  
26 licensed under this Act for an occurrence or alleged

1 occurrence that predates the enactment of this Act.

2 (c) In enforcing this Section, the Department, upon a  
3 showing of a possible violation, may order a licensee or  
4 applicant to submit to a mental or physical examination, or  
5 both, at the expense of the Department. The Department may  
6 order the examining physician to present testimony concerning  
7 his or her examination of the licensee or applicant. No  
8 information shall be excluded by reason of any common law or  
9 statutory privilege relating to communications between the  
10 licensee or applicant and the examining physician. The  
11 examining physicians shall be specifically designated by the  
12 Department. The licensee or applicant may have, at his or her  
13 own expense, another physician of his or her choice present  
14 during all aspects of the examination. Failure of a licensee  
15 or applicant to submit to any such examination when directed,  
16 without reasonable cause, shall be grounds for either  
17 immediate suspension ~~suspending~~ of his or her license or  
18 immediate denial of his or her application.

19 (1) If the Secretary immediately suspends the license  
20 of a licensee for his or her failure to submit to a mental  
21 or physical examination when directed, a hearing must be  
22 convened by the Department within 15 days after the  
23 suspension and completed without appreciable delay.

24 (2) If the Secretary otherwise suspends a license  
25 pursuant to the results of the licensee's mental or  
26 physical examination, a hearing must be convened by the

1 Department within 15 days after the suspension and  
2 completed without appreciable delay. The Department shall  
3 have the authority to review the licensee's record of  
4 treatment and counseling regarding the relevant impairment  
5 or impairments to the extent permitted by applicable  
6 federal statutes and regulations safeguarding the  
7 confidentiality of medical records.

8 (3) Any licensee suspended under this subsection shall  
9 be afforded an opportunity to demonstrate to the  
10 Department that he or she can resume practice in  
11 compliance with the acceptable and prevailing standards  
12 under the provisions of his or her license.

13 (d) The determination by a circuit court that a licensee  
14 is subject to involuntary admission or judicial admission, as  
15 provided in the Mental Health and Developmental Disabilities  
16 Code, operates as an automatic suspension. Such suspension may  
17 end only upon a finding by a court that the patient is no  
18 longer subject to involuntary admission or judicial admission,  
19 the issuance of an order so finding and discharging the  
20 patient, and the filing of a petition for restoration  
21 demonstrating fitness to practice.

22 (e) In cases where the Department of Healthcare and Family  
23 Services has previously determined that a licensee or a  
24 potential licensee is more than 30 days delinquent in the  
25 payment of child support and has subsequently certified the  
26 delinquency to the Department, the Department shall refuse to

1 issue or renew or shall revoke or suspend that person's  
2 license or shall take other disciplinary action against that  
3 person based solely upon the certification of delinquency made  
4 by the Department of Healthcare and Family Services under  
5 paragraph (5) of subsection (a) of Section 2105-15 of the  
6 Department of Professional Regulation Law of the Civil  
7 Administrative Code of Illinois.

8 (f) The Department shall refuse to issue or renew or shall  
9 revoke or suspend a person's license or shall take other  
10 disciplinary action against that person for his or her failure  
11 to file a return, to pay the tax, penalty, or interest shown in  
12 a filed return, or to pay any final assessment of tax, penalty,  
13 or interest as required by any tax Act administered by the  
14 Department of Revenue, until the requirements of the tax Act  
15 are satisfied in accordance with subsection (g) of Section  
16 2105-15 of the Department of Professional Regulation Law of  
17 the Civil Administrative Code of Illinois.

18 (Source: P.A. 102-20, eff. 6-25-21; revised 7-20-21.)

19 Section 145. The Real Estate Appraiser Licensing Act of  
20 2002 is amended by changing Sections 1-5, 1-10, and 25-20 as  
21 follows:

22 (225 ILCS 458/1-5)

23 (Section scheduled to be repealed on January 1, 2027)

24 Sec. 1-5. Legislative intent. The intent of the General

1 Assembly in enacting this Act is to evaluate the competency of  
2 persons engaged in the appraisal of real estate and to license  
3 and regulate those persons for the protection of the public.  
4 Additionally, it is the intent of the General Assembly for  
5 this Act to be consistent with the provisions of Title XI of  
6 the federal Financial Institutions Reform, Recovery, and  
7 Enforcement Act of 1989.

8 (Source: P.A. 98-1109, eff. 1-1-15; revised 8-2-21.)

9 (225 ILCS 458/1-10)

10 (Text of Section before amendment by P.A. 102-20)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 1-10. Definitions. As used in this Act, unless the  
13 context otherwise requires:

14 "Accredited college or university, junior college, or  
15 community college" means a college or university, junior  
16 college, or community college that is approved or accredited  
17 by the Board of Higher Education, a regional or national  
18 accreditation association, or by an accrediting agency that is  
19 recognized by the U.S. Secretary of Education.

20 "Address of record" means the designated address recorded  
21 by the Department in the applicant's or licensee's application  
22 file or license file as maintained by the Department's  
23 licensure maintenance unit. It is the duty of the applicant or  
24 licensee to inform the Department of any change of address and  
25 those changes must be made either through the Department's



1 website or by contacting the Department.

2 "Applicant" means a person who applies to the Department  
3 for a license under this Act.

4 "Appraisal" means (noun) the act or process of developing  
5 an opinion of value; an opinion of value (adjective) of or  
6 pertaining to appraising and related functions, such as  
7 appraisal practice or appraisal services.

8 "Appraisal assignment" means a valuation service provided  
9 as a consequence of an agreement between an appraiser and a  
10 client.

11 "Appraisal consulting" means the act or process of  
12 developing an analysis, recommendation, or opinion to solve a  
13 problem, where an opinion of value is a component of the  
14 analysis leading to the assignment results.

15 "Appraisal firm" means an appraisal entity that is 100%  
16 owned and controlled by a person or persons licensed in  
17 Illinois as a certified general real estate appraiser or a  
18 certified residential real estate appraiser. "Appraisal firm"  
19 does not include an appraisal management company.

20 "Appraisal management company" means any corporation,  
21 limited liability company, partnership, sole proprietorship,  
22 subsidiary, unit, or other business entity that directly or  
23 indirectly: (1) provides appraisal management services to  
24 creditors or secondary mortgage market participants; (2)  
25 provides appraisal management services in connection with  
26 valuing the consumer's principal dwelling as security for a

1 consumer credit transaction (including consumer credit  
2 transactions incorporated into securitizations); (3) within a  
3 given year, oversees an appraiser panel of any size of  
4 State-certified appraisers in Illinois; and (4) any appraisal  
5 management company that, within a given year, oversees an  
6 appraiser panel of 16 or more State-certified appraisers in  
7 Illinois or 25 or more State-certified or State-licensed  
8 appraisers in 2 or more jurisdictions shall be subject to the  
9 appraisal management company national registry fee in addition  
10 to the appraiser panel fee. "Appraisal management company"  
11 includes a hybrid entity.

12 "Appraisal practice" means valuation services performed by  
13 an individual acting as an appraiser, including, but not  
14 limited to, appraisal, appraisal review, or appraisal  
15 consulting.

16 "Appraisal report" means any communication, written or  
17 oral, of an appraisal or appraisal review that is transmitted  
18 to a client upon completion of an assignment.

19 "Appraisal review" means the act or process of developing  
20 and communicating an opinion about the quality of another  
21 appraiser's work that was performed as part of an appraisal,  
22 appraisal review, or appraisal assignment.

23 "Appraisal Subcommittee" means the Appraisal Subcommittee  
24 of the Federal Financial Institutions Examination Council as  
25 established by Title XI.

26 "Appraiser" means a person who performs real estate or

1 real property appraisals.

2 "AQB" means the Appraisal Qualifications Board of the  
3 Appraisal Foundation.

4 "Associate real estate trainee appraiser" means an  
5 entry-level appraiser who holds a license of this  
6 classification under this Act with restrictions as to the  
7 scope of practice in accordance with this Act.

8 "Board" means the Real Estate Appraisal Administration and  
9 Disciplinary Board.

10 "Broker price opinion" means an estimate or analysis of  
11 the probable selling price of a particular interest in real  
12 estate, which may provide a varying level of detail about the  
13 property's condition, market, and neighborhood and information  
14 on comparable sales. The activities of a real estate broker or  
15 managing broker engaging in the ordinary course of business as  
16 a broker, as defined in this Section, shall not be considered a  
17 broker price opinion if no compensation is paid to the broker  
18 or managing broker, other than compensation based upon the  
19 sale or rental of real estate.

20 "Classroom hour" means 50 minutes of instruction out of  
21 each 60-minute ~~60-minute~~ segment of coursework.

22 "Client" means the party or parties who engage an  
23 appraiser by employment or contract in a specific appraisal  
24 assignment.

25 "Comparative market analysis" is an analysis or opinion  
26 regarding pricing, marketing, or financial aspects relating to

1 a specified interest or interests in real estate that may be  
2 based upon an analysis of comparative market data, the  
3 expertise of the real estate broker or managing broker, and  
4 such other factors as the broker or managing broker may deem  
5 appropriate in developing or preparing such analysis or  
6 opinion. The activities of a real estate broker or managing  
7 broker engaging in the ordinary course of business as a  
8 broker, as defined in this Section, shall not be considered a  
9 comparative market analysis if no compensation is paid to the  
10 broker or managing broker, other than compensation based upon  
11 the sale or rental of real estate.

12 "Coordinator" means the Coordinator of Real Estate  
13 Appraisal of the Division of Professional Regulation of the  
14 Department of Financial and Professional Regulation.

15 "Department" means the Department of Financial and  
16 Professional Regulation.

17 "Federal financial institutions regulatory agencies" means  
18 the Board of Governors of the Federal Reserve System, the  
19 Federal Deposit Insurance Corporation, the Office of the  
20 Comptroller of the Currency, the Consumer Financial Protection  
21 Bureau, and the National Credit Union Administration.

22 "Federally related transaction" means any real  
23 estate-related financial transaction in which a federal  
24 financial institutions regulatory agency engages in, contracts  
25 for, or regulates and requires the services of an appraiser.

26 "Financial institution" means any bank, savings bank,

1 savings and loan association, credit union, mortgage broker,  
2 mortgage banker, licensee under the Consumer Installment Loan  
3 Act or the Sales Finance Agency Act, or a corporate fiduciary,  
4 subsidiary, affiliate, parent company, or holding company of  
5 any such licensee, or any institution involved in real estate  
6 financing that is regulated by state or federal law.

7 "Multi-state licensing system" means a web-based platform  
8 that allows an applicant to submit his or her application or  
9 license renewal application to the Department online.

10 "Person" means an individual, entity, sole proprietorship,  
11 corporation, limited liability company, partnership, and joint  
12 venture, foreign or domestic, except that when the context  
13 otherwise requires, the term may refer to more than one  
14 individual or other described entity.

15 "Real estate" means an identified parcel or tract of land,  
16 including any improvements.

17 "Real estate related financial transaction" means any  
18 transaction involving:

19 (1) the sale, lease, purchase, investment in, or  
20 exchange of real property, including interests in property  
21 or the financing thereof;

22 (2) the refinancing of real property or interests in  
23 real property; and

24 (3) the use of real property or interest in property  
25 as security for a loan or investment, including mortgage  
26 backed securities.

1 "Real property" means the interests, benefits, and rights  
2 inherent in the ownership of real estate.

3 "Secretary" means the Secretary of Financial and  
4 Professional Regulation.

5 "State certified general real estate appraiser" means an  
6 appraiser who holds a license of this classification under  
7 this Act and such classification applies to the appraisal of  
8 all types of real property without restrictions as to the  
9 scope of practice.

10 "State certified residential real estate appraiser" means  
11 an appraiser who holds a license of this classification under  
12 this Act and such classification applies to the appraisal of  
13 one to 4 units of residential real property without regard to  
14 transaction value or complexity, but with restrictions as to  
15 the scope of practice in a federally related transaction in  
16 accordance with Title XI, the provisions of USPAP, criteria  
17 established by the AQB, and further defined by rule.

18 "Supervising appraiser" means either (i) an appraiser who  
19 holds a valid license under this Act as either a State  
20 certified general real estate appraiser or a State certified  
21 residential real estate appraiser, who co-signs an appraisal  
22 report for an associate real estate trainee appraiser or (ii)  
23 a State certified general real estate appraiser who holds a  
24 valid license under this Act who co-signs an appraisal report  
25 for a State certified residential real estate appraiser on  
26 properties other than one to 4 units of residential real

1 property without regard to transaction value or complexity.

2 "Title XI" means Title XI of the federal Financial  
3 Institutions Reform, Recovery, and Enforcement Act of 1989.

4 "USPAP" means the Uniform Standards of Professional  
5 Appraisal Practice as promulgated by the Appraisal Standards  
6 Board pursuant to Title XI and by rule.

7 "Valuation services" means services pertaining to aspects  
8 of property value.

9 (Source: P.A. 100-604, eff. 7-13-18; revised 7-20-21.)

10 (Text of Section after amendment by P.A. 102-20)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 1-10. Definitions. As used in this Act, unless the  
13 context otherwise requires:

14 "Accredited college or university, junior college, or  
15 community college" means a college or university, junior  
16 college, or community college that is approved or accredited  
17 by the Board of Higher Education, a regional or national  
18 accreditation association, or by an accrediting agency that is  
19 recognized by the U.S. Secretary of Education.

20 "Address of record" means the designated street address,  
21 which may not be a post office box, recorded by the Department  
22 in the applicant's or licensee's application file or license  
23 file as maintained by the Department.

24 "Applicant" means a person who applies to the Department  
25 for a license under this Act.

1 "Appraisal" means (noun) the act or process of developing  
2 an opinion of value; an opinion of value (adjective) of or  
3 pertaining to appraising and related functions, such as  
4 appraisal practice or appraisal services.

5 "Appraisal assignment" means a valuation service provided  
6 pursuant to an agreement between an appraiser and a client.

7 "Appraisal firm" means an appraisal entity that is 100%  
8 owned and controlled by a person or persons licensed in  
9 Illinois as a certified general real estate appraiser or a  
10 certified residential real estate appraiser. "Appraisal firm"  
11 does not include an appraisal management company.

12 "Appraisal management company" means any corporation,  
13 limited liability company, partnership, sole proprietorship,  
14 subsidiary, unit, or other business entity that directly or  
15 indirectly: (1) provides appraisal management services to  
16 creditors or secondary mortgage market participants, including  
17 affiliates; (2) provides appraisal management services in  
18 connection with valuing the consumer's principal dwelling as  
19 security for a consumer credit transaction (including consumer  
20 credit transactions incorporated into securitizations); and  
21 (3) any appraisal management company that, within a given  
22 12-month period, oversees an appraiser panel of 16 or more  
23 State-certified appraisers in Illinois or 25 or more  
24 State-certified or State-licensed appraisers in 2 or more  
25 jurisdictions. "Appraisal management company" includes a  
26 hybrid entity.



1 "Appraisal practice" means valuation services performed by  
2 an individual acting as an appraiser, including, but not  
3 limited to, appraisal or appraisal review.

4 "Appraisal report" means any communication, written or  
5 oral, of an appraisal or appraisal review that is transmitted  
6 to a client upon completion of an assignment.

7 "Appraisal review" means the act or process of developing  
8 and communicating an opinion about the quality of another  
9 appraiser's work that was performed as part of an appraisal,  
10 appraisal review, or appraisal assignment.

11 "Appraisal Subcommittee" means the Appraisal Subcommittee  
12 of the Federal Financial Institutions Examination Council as  
13 established by Title XI.

14 "Appraiser" means a person who performs real estate or  
15 real property appraisals competently and in a manner that is  
16 independent, impartial, and objective.

17 "Appraiser panel" means a network, list, or roster of  
18 licensed or certified appraisers approved by the appraisal  
19 management company or by the end-user client to perform  
20 appraisals as independent contractors for the appraisal  
21 management company. "Appraiser panel" includes both appraisers  
22 accepted by an appraisal management company for consideration  
23 for future appraisal assignments and appraisers engaged by an  
24 appraisal management company to perform one or more  
25 appraisals. For the purposes of determining the size of an  
26 appraiser panel, only independent contractors of hybrid

1 entities shall be counted towards the appraiser panel.

2 "AOB" means the Appraisal Qualifications Board of the  
3 Appraisal Foundation.

4 "Associate real estate trainee appraiser" means an  
5 entry-level appraiser who holds a license of this  
6 classification under this Act with restrictions as to the  
7 scope of practice in accordance with this Act.

8 "Automated valuation model" means an automated system that  
9 is used to derive a property value through the use of available  
10 property records and various analytic methodologies such as  
11 comparable sales prices, home characteristics, and price  
12 changes.

13 "Board" means the Real Estate Appraisal Administration and  
14 Disciplinary Board.

15 "Broker price opinion" means an estimate or analysis of  
16 the probable selling price of a particular interest in real  
17 estate, which may provide a varying level of detail about the  
18 property's condition, market, and neighborhood and information  
19 on comparable sales. The activities of a real estate broker or  
20 managing broker engaging in the ordinary course of business as  
21 a broker, as defined in this Section, shall not be considered a  
22 broker price opinion if no compensation is paid to the broker  
23 or managing broker, other than compensation based upon the  
24 sale or rental of real estate.

25 "Classroom hour" means 50 minutes of instruction out of  
26 each 60-minute ~~60-minute~~ segment of coursework.

1 "Client" means the party or parties who engage an  
2 appraiser by employment or contract in a specific appraisal  
3 assignment.

4 "Comparative market analysis" is an analysis or opinion  
5 regarding pricing, marketing, or financial aspects relating to  
6 a specified interest or interests in real estate that may be  
7 based upon an analysis of comparative market data, the  
8 expertise of the real estate broker or managing broker, and  
9 such other factors as the broker or managing broker may deem  
10 appropriate in developing or preparing such analysis or  
11 opinion. The activities of a real estate broker or managing  
12 broker engaging in the ordinary course of business as a  
13 broker, as defined in this Section, shall not be considered a  
14 comparative market analysis if no compensation is paid to the  
15 broker or managing broker, other than compensation based upon  
16 the sale or rental of real estate.

17 "Coordinator" means the Real Estate Appraisal Coordinator  
18 created in Section 25-15.

19 "Department" means the Department of Financial and  
20 Professional Regulation.

21 "Email address of record" means the designated email  
22 address recorded by the Department in the applicant's  
23 application file or the licensee's license file maintained by  
24 the Department.

25 "Evaluation" means a valuation permitted by the appraisal  
26 regulations of the Federal Financial Institutions Examination

1 Council and its federal agencies for transactions that qualify  
2 for the appraisal threshold exemption, business loan  
3 exemption, or subsequent transaction exemption.

4 "Federal financial institutions regulatory agencies" means  
5 the Board of Governors of the Federal Reserve System, the  
6 Federal Deposit Insurance Corporation, the Office of the  
7 Comptroller of the Currency, the Consumer Financial Protection  
8 Bureau, and the National Credit Union Administration.

9 "Federally related transaction" means any real  
10 estate-related financial transaction in which a federal  
11 financial institutions regulatory agency engages in, contracts  
12 for, or regulates and requires the services of an appraiser.

13 "Financial institution" means any bank, savings bank,  
14 savings and loan association, credit union, mortgage broker,  
15 mortgage banker, licensee under the Consumer Installment Loan  
16 Act or the Sales Finance Agency Act, or a corporate fiduciary,  
17 subsidiary, affiliate, parent company, or holding company of  
18 any such licensee, or any institution involved in real estate  
19 financing that is regulated by state or federal law.

20 "Hybrid entity" means an appraisal management company that  
21 hires an appraiser as an employee to perform an appraisal and  
22 engages an independent contractor to perform an appraisal.

23 "License" means the privilege conferred by the Department  
24 to a person that has fulfilled all requirements prerequisite  
25 to any type of licensure under this Act.

26 "Licensee" means any person, as defined in this Section,

1 who holds a valid unexpired license.

2 "Multi-state licensing system" means a web-based platform  
3 that allows an applicant to submit the application or license  
4 renewal application to the Department online.

5 "Person" means an individual, entity, sole proprietorship,  
6 corporation, limited liability company, partnership, and joint  
7 venture, foreign or domestic, except that when the context  
8 otherwise requires, the term may refer to more than one  
9 individual or other described entity.

10 "Real estate" means an identified parcel or tract of land,  
11 including any improvements.

12 "Real estate related financial transaction" means any  
13 transaction involving:

14 (1) the sale, lease, purchase, investment in, or  
15 exchange of real property, including interests in property  
16 or the financing thereof;

17 (2) the refinancing of real property or interests in  
18 real property; and

19 (3) the use of real property or interest in property  
20 as security for a loan or investment, including mortgage  
21 backed securities.

22 "Real property" means the interests, benefits, and rights  
23 inherent in the ownership of real estate.

24 "Secretary" means the Secretary of Financial and  
25 Professional Regulation or the Secretary's designee.

26 "State certified general real estate appraiser" means an

1 appraiser who holds a license of this classification under  
2 this Act and such classification applies to the appraisal of  
3 all types of real property without restrictions as to the  
4 scope of practice.

5 "State certified residential real estate appraiser" means  
6 an appraiser who holds a license of this classification under  
7 this Act and such classification applies to the appraisal of  
8 one to 4 units of residential real property without regard to  
9 transaction value or complexity, but with restrictions as to  
10 the scope of practice in a federally related transaction in  
11 accordance with Title XI, the provisions of USPAP, criteria  
12 established by the AQB, and further defined by rule.

13 "Supervising appraiser" means either (i) an appraiser who  
14 holds a valid license under this Act as either a State  
15 certified general real estate appraiser or a State certified  
16 residential real estate appraiser, who co-signs an appraisal  
17 report for an associate real estate trainee appraiser or (ii)  
18 a State certified general real estate appraiser who holds a  
19 valid license under this Act who co-signs an appraisal report  
20 for a State certified residential real estate appraiser on  
21 properties other than one to 4 units of residential real  
22 property without regard to transaction value or complexity.

23 "Title XI" means Title XI of the federal Financial  
24 Institutions Reform, Recovery, and Enforcement Act of 1989.

25 "USPAP" means the Uniform Standards of Professional  
26 Appraisal Practice as promulgated by the Appraisal Standards

1 Board pursuant to Title XI and by rule.

2 "Valuation services" means services pertaining to aspects  
3 of property value.

4 (Source: P.A. 102-20, eff. 1-1-22; revised 7-20-21.)

5 (225 ILCS 458/25-20)

6 (Text of Section before amendment by P.A. 102-20)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 25-20. Department; powers and duties. The Department  
9 of Financial and Professional Regulation shall exercise the  
10 powers and duties prescribed by the Civil Administrative Code  
11 of Illinois for the administration of licensing Acts and shall  
12 exercise such other powers and duties as are prescribed by  
13 this Act for the administration of this Act. The Department  
14 may contract with third parties for services necessary for the  
15 proper administration of this Act, including, without  
16 limitation, investigators with the proper knowledge, training,  
17 and skills to properly investigate complaints against real  
18 estate appraisers.

19 In addition, the Department may receive federal financial  
20 assistance, either directly from the federal government or  
21 indirectly through another source, public or private, for the  
22 administration of this Act. The Department may also receive  
23 transfers, gifts, grants, or donations from any source, public  
24 or private, in the form of funds, services, equipment,  
25 supplies, or materials. Any funds received pursuant to this

1 Section shall be deposited in the Appraisal Administration  
2 Fund unless deposit in a different fund is otherwise mandated,  
3 and shall be used in accordance with the requirements of the  
4 federal financial assistance, gift, grant, or donation for  
5 purposes related to the powers and duties of the Department.

6 The Department shall maintain and update a registry of the  
7 names and addresses of all licensees and a listing of  
8 disciplinary orders issued pursuant to this Act and shall  
9 transmit the registry, along with any national registry fees  
10 that may be required, to the entity specified by, and in a  
11 manner consistent with, Title XI of the federal Financial  
12 Institutions Reform, Recovery, and Enforcement Act of 1989.

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

14 (Text of Section after amendment by P.A. 102-20)

15 (Section scheduled to be repealed on January 1, 2027)

16 Sec. 25-20. Department; powers and duties. The Department  
17 of Financial and Professional Regulation shall exercise the  
18 powers and duties prescribed by the Civil Administrative Code  
19 of Illinois for the administration of licensing Acts and shall  
20 exercise such other powers and duties as are prescribed by  
21 this Act for the administration of this Act. The Department  
22 may contract with third parties for services necessary for the  
23 proper administration of this Act, including, without  
24 limitation, investigators with the proper knowledge, training,  
25 and skills to investigate complaints against real estate



1 appraisers.

2 In addition, the Department may receive federal financial  
3 assistance, either directly from the federal government or  
4 indirectly through another source, public or private, for the  
5 administration of this Act. The Department may also receive  
6 transfers, gifts, grants, or donations from any source, public  
7 or private, in the form of funds, services, equipment,  
8 supplies, or materials. Any funds received pursuant to this  
9 Section shall be deposited in the Appraisal Administration  
10 Fund unless deposit in a different fund is otherwise mandated,  
11 and shall be used in accordance with the requirements of the  
12 federal financial assistance, gift, grant, or donation for  
13 purposes related to the powers and duties of the Department.

14 The Department shall maintain and update a registry of the  
15 names and addresses of all licensees and a listing of  
16 disciplinary orders issued pursuant to this Act and shall  
17 transmit the registry, along with any national registry fees  
18 that may be required, to the entity specified by, and in a  
19 manner consistent with, Title XI of the federal Financial  
20 Institutions Reform, Recovery, and Enforcement Act of 1989.

21 (Source: P.A. 102-16, eff. 6-17-21; 102-20, eff. 1-1-22;  
22 revised 7-17-21.)

23 Section 150. The Appraisal Management Company Registration  
24 Act is amended by changing Section 10 as follows:

1 (225 ILCS 459/10)

2 (Text of Section before amendment by P.A. 102-20)

3 Sec. 10. Definitions. In this Act:

4 "Address of record" means the principal address recorded  
5 by the Department in the applicant's or registrant's  
6 application file or registration file maintained by the  
7 Department's registration maintenance unit.

8 "Applicant" means a person or entity who applies to the  
9 Department for a registration under this Act.

10 "Appraisal" means (noun) the act or process of developing  
11 an opinion of value; an opinion of value (adjective) of or  
12 pertaining to appraising and related functions.

13 "Appraisal firm" means an appraisal entity that is 100%  
14 owned and controlled by a person or persons licensed in  
15 Illinois as a certified general real estate appraiser or a  
16 certified residential real estate appraiser. An appraisal firm  
17 does not include an appraisal management company.

18 "Appraisal management company" means any corporation,  
19 limited liability company, partnership, sole proprietorship,  
20 subsidiary, unit, or other business entity that directly or  
21 indirectly: (1) provides appraisal management services to  
22 creditors or secondary mortgage market participants; (2)  
23 provides appraisal management services in connection with  
24 valuing the consumer's principal dwelling as security for a  
25 consumer credit transaction (including consumer credit  
26 transactions incorporated into securitizations); (3) within a

1 given year, oversees an appraiser panel of any size of  
2 State-certified appraisers in Illinois; and (4) any appraisal  
3 management company that, within a given year, oversees an  
4 appraiser panel of 16 or more State-certified appraisers in  
5 Illinois or 25 or more State-certified or State-licensed  
6 appraisers in 2 or more jurisdictions shall be subject to the  
7 appraisal management company national registry fee in addition  
8 to the appraiser panel fee. "Appraisal management company"  
9 includes a hybrid entity.

10 "Appraisal management company national registry fee" means  
11 the fee implemented pursuant to Title XI of the federal  
12 Financial Institutions Reform, Recovery, and Enforcement Act  
13 of 1989 for an appraiser management company's national  
14 registry.

15 "Appraisal management services" means one or more of the  
16 following:

- 17 (1) recruiting, selecting, and retaining appraisers;
- 18 (2) contracting with State-certified or State-licensed  
19 appraisers to perform appraisal assignments;
- 20 (3) managing the process of having an appraisal  
21 performed, including providing administrative services  
22 such as receiving appraisal orders and appraisal reports;  
23 submitting completed appraisal reports to creditors and  
24 secondary market participants; collecting compensation  
25 from creditors, underwriters, or secondary market  
26 participants for services provided; or paying appraisers

1 for services performed; or

2 (4) reviewing and verifying the work of appraisers.

3 "Appraiser panel" means a network, list, or roster of  
4 licensed or certified appraisers approved by the appraisal  
5 management company or by the end-user client to perform  
6 appraisals for the appraisal management company. "Appraiser  
7 panel" includes both appraisers accepted by an appraisal  
8 management company for consideration for future appraisal  
9 assignments and appraisers engaged by an appraisal management  
10 company to perform one or more appraisals.

11 "Appraiser panel fee" means the amount collected from a  
12 registrant that, where applicable, includes an appraisal  
13 management company's national registry fee.

14 "Appraisal report" means a written appraisal by an  
15 appraiser to a client.

16 "Appraisal practice service" means valuation services  
17 performed by an individual acting as an appraiser, including,  
18 but not limited to, appraisal or appraisal review.

19 "Appraisal subcommittee" means the appraisal subcommittee  
20 of the Federal Financial Institutions Examination Council as  
21 established by Title XI.

22 "Appraiser" means a person who performs real estate or  
23 real property appraisals.

24 "Assignment result" means an appraiser's opinions and  
25 conclusions developed specific to an assignment.

26 "Audit" includes, but is not limited to, an annual or

1 special audit, visit, or review necessary under this Act or  
2 required by the Secretary or the Secretary's authorized  
3 representative in carrying out the duties and responsibilities  
4 under this Act.

5 "Client" means the party or parties who engage an  
6 appraiser by employment or contract in a specific appraisal  
7 assignment.

8 "Controlling person ~~Person~~" means:

9 (1) an owner, officer, or director of an entity  
10 seeking to offer appraisal management services;

11 (2) an individual employed, appointed, or authorized  
12 by an appraisal management company who has the authority  
13 to:

14 (A) enter into a contractual relationship with a  
15 client for the performance of an appraisal management  
16 service or appraisal practice service; and

17 (B) enter into an agreement with an appraiser for  
18 the performance of a real estate appraisal activity;

19 (3) an individual who possesses, directly or  
20 indirectly, the power to direct or cause the direction of  
21 the management or policies of an appraisal management  
22 company; or

23 (4) an individual who will act as the sole compliance  
24 officer with regard to this Act and any rules adopted  
25 under this Act.

26 "Coordinator" means the Coordinator of the Appraisal

1 Management Company Registration Unit of the Department or his  
2 or her designee.

3 "Covered transaction" means a consumer credit transaction  
4 secured by a consumer's principal dwelling.

5 "Department" means the Department of Financial and  
6 Professional Regulation.

7 "Email address of record" means the designated email  
8 address recorded by the Department in the applicant's  
9 application file or the registrant's registration file  
10 maintained by the Department's registration maintenance unit.

11 "Entity" means a corporation, a limited liability company,  
12 partnership, a sole proprietorship, or other entity providing  
13 services or holding itself out to provide services as an  
14 appraisal management company or an appraisal management  
15 service.

16 "End-user client" means any person who utilizes or engages  
17 the services of an appraiser through an appraisal management  
18 company.

19 "Federally regulated appraisal management company" means  
20 an appraisal management company that is owned and controlled  
21 by an insured depository institution, as defined in 12 U.S.C.  
22 1813, or an insured credit union, as defined in 12 U.S.C. 1752,  
23 and regulated by the Office of the Comptroller of the  
24 Currency, the Federal Reserve Board, the National Credit Union  
25 Association, or the Federal Deposit Insurance Corporation.

26 "Financial institution" means any bank, savings bank,

1 savings and loan association, credit union, mortgage broker,  
2 mortgage banker, registrant under the Consumer Installment  
3 Loan Act or the Sales Finance Agency Act, or a corporate  
4 fiduciary, subsidiary, affiliate, parent company, or holding  
5 company of any registrant, or any institution involved in real  
6 estate financing that is regulated by State or federal law.

7 "Foreign appraisal management company" means any appraisal  
8 management company organized under the laws of any other state  
9 of the United States, the District of Columbia, or any other  
10 jurisdiction of the United States.

11 "Hybrid entity" means an appraisal management company that  
12 hires an appraiser as an employee to perform an appraisal and  
13 engages an independent contractor to perform an appraisal.

14 "Multi-state licensing system" means a web-based platform  
15 that allows an applicant to submit his or her application or  
16 registration renewal to the Department online.

17 "Person" means individuals, entities, sole  
18 proprietorships, corporations, limited liability companies,  
19 and alien, foreign, or domestic partnerships, except that when  
20 the context otherwise requires, the term may refer to a single  
21 individual or other described entity.

22 "Principal dwelling" means a residential structure that  
23 contains one to 4 units, whether or not that structure is  
24 attached to real property. "Principal dwelling" includes an  
25 individual condominium unit, cooperative unit, manufactured  
26 home, mobile home, and trailer, if it is used as a residence.

1 "Principal office" means the actual, physical business  
2 address, which shall not be a post office box or a virtual  
3 business address, of a registrant, at which (i) the Department  
4 may contact the registrant and (ii) records required under  
5 this Act are maintained.

6 "Qualified to transact business in this State" means being  
7 in compliance with the requirements of the Business  
8 Corporation Act of 1983.

9 "Quality control review" means a review of an appraisal  
10 report for compliance and completeness, including grammatical,  
11 typographical, or other similar errors, unrelated to  
12 developing an opinion of value.

13 "Real estate" means an identified parcel or tract of land,  
14 including any improvements.

15 "Real estate related financial transaction" means any  
16 transaction involving:

17 (1) the sale, lease, purchase, investment in, or  
18 exchange of real property, including interests in property  
19 or the financing thereof;

20 (2) the refinancing of real property or interests in  
21 real property; and

22 (3) the use of real property or interest in property  
23 as security for a loan or investment, including mortgage  
24 backed securities.

25 "Real property" means the interests, benefits, and rights  
26 inherent in the ownership of real estate.



1 "Secretary" means the Secretary of Financial and  
2 Professional Regulation.

3 "USPAP" means the Uniform Standards of Professional  
4 Appraisal Practice as adopted by the Appraisal Standards Board  
5 under Title XI.

6 "Valuation" means any estimate of the value of real  
7 property in connection with a creditor's decision to provide  
8 credit, including those values developed under a policy of a  
9 government sponsored enterprise or by an automated valuation  
10 model or other methodology or mechanism.

11 "Written notice" means a communication transmitted by mail  
12 or by electronic means that can be verified between an  
13 appraisal management company and a licensed or certified real  
14 estate appraiser.

15 (Source: P.A. 100-604, eff. 7-13-18; revised 8-2-21.)

16 (Text of Section after amendment by P.A. 102-20)

17 Sec. 10. Definitions. In this Act:

18 "Address of record" means the principal address recorded  
19 by the Department in the applicant's or registrant's  
20 application file or registration file maintained by the  
21 Department's registration maintenance unit.

22 "Applicant" means a person or entity who applies to the  
23 Department for a registration under this Act.

24 "Appraisal" means (noun) the act or process of developing  
25 an opinion of value; an opinion of value (adjective) of or

1 pertaining to appraising and related functions.

2 "Appraisal firm" means an appraisal entity that is 100%  
3 owned and controlled by a person or persons licensed in  
4 Illinois as a certified general real estate appraiser or a  
5 certified residential real estate appraiser. An appraisal firm  
6 does not include an appraisal management company.

7 "Appraisal management company" means any corporation,  
8 limited liability company, partnership, sole proprietorship,  
9 subsidiary, unit, or other business entity that directly or  
10 indirectly: (1) provides appraisal management services to  
11 creditors or secondary mortgage market participants, including  
12 affiliates; (2) provides appraisal management services in  
13 connection with valuing the consumer's principal dwelling as  
14 security for a consumer credit transaction (including consumer  
15 credit transactions incorporated into securitizations); and  
16 (3) any appraisal management company that, within a given  
17 12-month period, oversees an appraiser panel of 16 or more  
18 State-certified appraisers in Illinois or 25 or more  
19 State-certified or State-licensed appraisers in 2 or more  
20 jurisdictions. "Appraisal management company" includes a  
21 hybrid entity.

22 "Appraisal management company national registry fee" means  
23 the fee implemented pursuant to Title XI of the federal  
24 Financial Institutions Reform, Recovery, and Enforcement Act  
25 of 1989 for an appraiser management company's national  
26 registry.

1 "Appraisal management services" means one or more of the  
2 following:

3 (1) recruiting, selecting, and retaining appraisers;

4 (2) contracting with State-certified or State-licensed  
5 appraisers to perform appraisal assignments;

6 (3) managing the process of having an appraisal  
7 performed, including providing administrative services  
8 such as receiving appraisal orders and appraisal reports;  
9 submitting completed appraisal reports to creditors and  
10 secondary market participants; collecting compensation  
11 from creditors, underwriters, or secondary market  
12 participants for services provided; or paying appraisers  
13 for services performed; or

14 (4) reviewing and verifying the work of appraisers.

15 "Appraiser panel" means a network, list, or roster of  
16 licensed or certified appraisers approved by the appraisal  
17 management company or by the end-user client to perform  
18 appraisals as independent contractors for the appraisal  
19 management company. "Appraiser panel" includes both appraisers  
20 accepted by an appraisal management company for consideration  
21 for future appraisal assignments and appraisers engaged by an  
22 appraisal management company to perform one or more  
23 appraisals. For the purposes of determining the size of an  
24 appraiser panel, only independent contractors of hybrid  
25 entities shall be counted towards the appraiser panel.

26 "Appraiser panel fee" means the amount collected from a

1 registrant that, where applicable, includes an appraisal  
2 management company's national registry fee.

3 "Appraisal report" means a written appraisal by an  
4 appraiser to a client.

5 "Appraisal practice service" means valuation services  
6 performed by an individual acting as an appraiser, including,  
7 but not limited to, appraisal or appraisal review.

8 "Appraisal subcommittee" means the appraisal subcommittee  
9 of the Federal Financial Institutions Examination Council as  
10 established by Title XI.

11 "Appraiser" means a person who performs real estate or  
12 real property appraisals.

13 "Assignment result" means an appraiser's opinions and  
14 conclusions developed specific to an assignment.

15 "Audit" includes, but is not limited to, an annual or  
16 special audit, visit, or review necessary under this Act or  
17 required by the Secretary or the Secretary's authorized  
18 representative in carrying out the duties and responsibilities  
19 under this Act.

20 "Client" means the party or parties who engage an  
21 appraiser by employment or contract in a specific appraisal  
22 assignment.

23 "Controlling person ~~Person~~" means:

24 (1) an owner, officer, or director of an entity  
25 seeking to offer appraisal management services;

26 (2) an individual employed, appointed, or authorized

1 by an appraisal management company who has the authority  
2 to:

3 (A) enter into a contractual relationship with a  
4 client for the performance of an appraisal management  
5 service or appraisal practice service; and

6 (B) enter into an agreement with an appraiser for  
7 the performance of a real estate appraisal activity;

8 (3) an individual who possesses, directly or  
9 indirectly, the power to direct or cause the direction of  
10 the management or policies of an appraisal management  
11 company; or

12 (4) an individual who will act as the sole compliance  
13 officer with regard to this Act and any rules adopted  
14 under this Act.

15 "Covered transaction" means a consumer credit transaction  
16 secured by a consumer's principal dwelling.

17 "Department" means the Department of Financial and  
18 Professional Regulation.

19 "Email address of record" means the designated email  
20 address recorded by the Department in the applicant's  
21 application file or the registrant's registration file  
22 maintained by the Department's registration maintenance unit.

23 "Entity" means a corporation, a limited liability company,  
24 partnership, a sole proprietorship, or other entity providing  
25 services or holding itself out to provide services as an  
26 appraisal management company or an appraisal management

1 service.

2 "End-user client" means any person who utilizes or engages  
3 the services of an appraiser through an appraisal management  
4 company.

5 "Federally regulated appraisal management company" means  
6 an appraisal management company that is owned and controlled  
7 by an insured depository institution, as defined in 12 U.S.C.  
8 1813, or an insured credit union, as defined in 12 U.S.C. 1752,  
9 and regulated by the Office of the Comptroller of the  
10 Currency, the Federal Reserve Board, the National Credit Union  
11 Association, or the Federal Deposit Insurance Corporation.

12 "Financial institution" means any bank, savings bank,  
13 savings and loan association, credit union, mortgage broker,  
14 mortgage banker, registrant under the Consumer Installment  
15 Loan Act or the Sales Finance Agency Act, or a corporate  
16 fiduciary, subsidiary, affiliate, parent company, or holding  
17 company of any registrant, or any institution involved in real  
18 estate financing that is regulated by State or federal law.

19 "Foreign appraisal management company" means any appraisal  
20 management company organized under the laws of any other state  
21 of the United States, the District of Columbia, or any other  
22 jurisdiction of the United States.

23 "Hybrid entity" means an appraisal management company that  
24 hires an appraiser as an employee to perform an appraisal and  
25 engages an independent contractor to perform an appraisal.

26 "Multi-state licensing system" means a web-based platform

1 that allows an applicant to submit the application or  
2 registration renewal to the Department online.

3 "Person" means individuals, entities, sole  
4 proprietorships, corporations, limited liability companies,  
5 and alien, foreign, or domestic partnerships, except that when  
6 the context otherwise requires, the term may refer to a single  
7 individual or other described entity.

8 "Principal dwelling" means a residential structure that  
9 contains one to 4 units, whether or not that structure is  
10 attached to real property. "Principal dwelling" includes an  
11 individual condominium unit, cooperative unit, manufactured  
12 home, mobile home, and trailer, if it is used as a residence.

13 "Principal office" means the actual, physical business  
14 address, which shall not be a post office box or a virtual  
15 business address, of a registrant, at which (i) the Department  
16 may contact the registrant and (ii) records required under  
17 this Act are maintained.

18 "Qualified to transact business in this State" means being  
19 in compliance with the requirements of the Business  
20 Corporation Act of 1983.

21 "Quality control review" means a review of an appraisal  
22 report for compliance and completeness, including grammatical,  
23 typographical, or other similar errors, unrelated to  
24 developing an opinion of value.

25 "Real estate" means an identified parcel or tract of land,  
26 including any improvements.

1 "Real estate related financial transaction" means any  
2 transaction involving:

3 (1) the sale, lease, purchase, investment in, or  
4 exchange of real property, including interests in property  
5 or the financing thereof;

6 (2) the refinancing of real property or interests in  
7 real property; and

8 (3) the use of real property or interest in property  
9 as security for a loan or investment, including mortgage  
10 backed securities.

11 "Real property" means the interests, benefits, and rights  
12 inherent in the ownership of real estate.

13 "Secretary" means the Secretary of Financial and  
14 Professional Regulation.

15 "USPAP" means the Uniform Standards of Professional  
16 Appraisal Practice as adopted by the Appraisal Standards Board  
17 under Title XI.

18 "Valuation" means any estimate of the value of real  
19 property in connection with a creditor's decision to provide  
20 credit, including those values developed under a policy of a  
21 government sponsored enterprise or by an automated valuation  
22 model or other methodology or mechanism.

23 "Written notice" means a communication transmitted by mail  
24 or by electronic means that can be verified between an  
25 appraisal management company and a licensed or certified real  
26 estate appraiser.



1 (Source: P.A. 102-20, eff. 1-1-22; revised 8-2-21.)

2 Section 155. The Hydraulic Fracturing Regulatory Act is  
3 amended by changing Section 1-77 as follows:

4 (225 ILCS 732/1-77)

5 Sec. 1-77. Chemical disclosure; trade secret protection.

6 (a) If the chemical disclosure information required by  
7 paragraph (8) of subsection (b) of Section 1-35 of this Act is  
8 not submitted at the time of permit application, then the  
9 permittee, applicant, or person who will perform high volume  
10 horizontal hydraulic fracturing operations at the well shall  
11 submit this information to the Department in electronic format  
12 no less than 21 calendar days prior to performing the high  
13 volume horizontal hydraulic fracturing operations. The  
14 permittee shall not cause or allow any stimulation of the well  
15 if it is not in compliance with this Section. Nothing in this  
16 Section shall prohibit the person performing high volume  
17 horizontal hydraulic fracturing operations from adjusting or  
18 altering the contents of the fluid during the treatment  
19 process to respond to unexpected conditions, as long as the  
20 permittee or the person performing the high volume horizontal  
21 hydraulic fracturing operations notifies the Department by  
22 electronic mail within 24 hours of the departure from the  
23 initial treatment design and includes a brief explanation of  
24 the reason for the departure.

1 (b) No permittee shall use the services of another person  
2 to perform high volume horizontal hydraulic fracturing  
3 operations unless the person is in compliance with this  
4 Section.

5 (c) Any person performing high volume horizontal hydraulic  
6 fracturing operations within this State shall:

7 (1) be authorized to do business in this State; and

8 (2) maintain and disclose to the Department separate  
9 and up-to-date master lists of:

10 (A) the base fluid to be used during any high  
11 volume horizontal hydraulic fracturing operations  
12 within this State;

13 (B) all hydraulic fracturing additives to be used  
14 during any high volume horizontal hydraulic fracturing  
15 operations within this State; and

16 (C) all chemicals and associated Chemical Abstract  
17 Service numbers to be used in any high volume  
18 horizontal hydraulic fracturing operations within this  
19 State.

20 (d) Persons performing high volume horizontal hydraulic  
21 fracturing operations are prohibited from using any base  
22 fluid, hydraulic fracturing additive, or chemical not listed  
23 on their master lists disclosed under paragraph (2) of  
24 subsection (c) of this Section.

25 (e) The Department shall assemble and post up-to-date  
26 copies of the master lists it receives under paragraph (2) of

1 subsection (c) of this Section on its website in accordance  
2 with Section 1-110 of this Act.

3 (f) Where an applicant, permittee, or the person  
4 performing high volume horizontal hydraulic fracturing  
5 operations furnishes chemical disclosure information to the  
6 Department under this Section, Section 1-35, or Section 1-75  
7 of this Act under a claim of trade secret, the applicant,  
8 permittee, or person performing high volume horizontal  
9 hydraulic fracturing operations shall submit redacted and  
10 un-redacted copies of the documents containing the information  
11 to the Department and the Department shall use the redacted  
12 copies when posting materials on its website.

13 (g) Upon submission or within 5 calendar days of  
14 submission of chemical disclosure information to the  
15 Department under this Section, Section 1-35, or Section 1-75  
16 of this Act under a claim of trade secret, the person that  
17 claimed trade secret protection shall provide a justification  
18 of the claim containing the following: a detailed description  
19 of the procedures used by the person to safeguard the  
20 information from becoming available to persons other than  
21 those selected by the person to have access to the information  
22 for limited purposes; a detailed statement identifying the  
23 persons or class of persons to whom the information has been  
24 disclosed; a certification that the person has no knowledge  
25 that the information has ever been published or disseminated  
26 or has otherwise become a matter of general public knowledge;

1 a detailed discussion of why the person believes the  
2 information to be of competitive value; and any other  
3 information that shall support the claim.

4 (h) Chemical disclosure information furnished under this  
5 Section, Section 1-35, or Section 1-75 of this Act under a  
6 claim of trade secret shall be protected from disclosure as a  
7 trade secret if the Department determines that the statement  
8 of justification demonstrates that:

9 (1) the information has not been published,  
10 disseminated, or otherwise become a matter of general  
11 public knowledge; and

12 (2) the information has competitive value.

13 There is a rebuttable presumption that the information has  
14 not been published, disseminated, or otherwise become a matter  
15 of general public knowledge if the person has taken reasonable  
16 measures to prevent the information from becoming available to  
17 persons other than those selected by the person to have access  
18 to the information for limited purposes and the statement of  
19 justification contains a certification that the person has no  
20 knowledge that the information has ever been published,  
21 disseminated, or otherwise become a matter of general public  
22 knowledge.

23 (i) Denial of a trade secret request under this Section  
24 shall be appealable under the Administrative Review Law.

25 (j) A person whose request to inspect or copy a public  
26 record is denied, in whole or in part, because of a grant of

1 trade secret protection may file a request for review with the  
2 Public Access Counselor under Section 9.5 of the Freedom of  
3 Information Act or for injunctive or declaratory relief under  
4 Section 11 of the Freedom of Information Act for the purpose of  
5 reviewing whether the Department properly determined that the  
6 trade secret protection should be granted.

7 (k) Except as otherwise provided in subsections (l) and  
8 (m) of this Section, the Department must maintain the  
9 confidentiality of chemical disclosure information furnished  
10 under this Section, Section 1-35, or Section 1-75 of this Act  
11 under a claim of trade secret, until the Department receives  
12 official notification of a final order by a reviewing body  
13 with proper jurisdiction that is not subject to further appeal  
14 rejecting a grant of trade secret protection for that  
15 information.

16 (l) The Department shall adopt rules for the provision of  
17 information furnished under a claim of trade secret to a  
18 health professional who states a need for the information and  
19 articulates why the information is needed. The health  
20 professional may share that information with other persons as  
21 may be professionally necessary, including, but not limited  
22 to, the affected patient, other health professionals involved  
23 in the treatment of the affected patient, the affected  
24 patient's family members if the affected patient is  
25 unconscious, is unable to make medical decisions, or is a  
26 minor, the Centers for Disease Control and Prevention, and

1 other government public health agencies. Except as otherwise  
2 provided in this Section, any recipient of the information  
3 shall not use the information for purposes other than the  
4 health needs asserted in the request and shall otherwise  
5 maintain the information as confidential. Information so  
6 disclosed to a health professional shall in no way be  
7 construed as publicly available. The holder of the trade  
8 secret may request a confidentiality agreement consistent with  
9 the requirements of this Section from all health professionals  
10 to whom the information is disclosed as soon as circumstances  
11 permit. The rules adopted by the Department shall also  
12 establish procedures for providing the information in both  
13 emergency and non-emergency situations.

14 (m) In the event of a release of hydraulic fracturing  
15 fluid, a hydraulic fracturing additive, or hydraulic  
16 fracturing flowback, and when necessary to protect public  
17 health or the environment, the Department may disclose  
18 information furnished under a claim of trade secret to the  
19 relevant county public health director or emergency manager,  
20 the relevant fire department chief, the Director of the  
21 Illinois Department of Public Health, the Director of the  
22 Illinois Department of Agriculture, and the Director of the  
23 Illinois Environmental Protection Agency upon request by that  
24 individual. The Director of the Illinois Department of Public  
25 Health, and the Director of the Illinois Environmental  
26 Protection Agency, and the Director of the Illinois Department

1 of Agriculture may disclose this information to staff members  
2 under the same terms and conditions as apply to the Director of  
3 Natural Resources. Except as otherwise provided in this  
4 Section, any recipient of the information shall not use the  
5 information for purposes other than to protect public health  
6 or the environment and shall otherwise maintain the  
7 information as confidential. Information disclosed to staff  
8 shall in no way be construed as publicly available. The holder  
9 of the trade secret information may request a confidentiality  
10 agreement consistent with the requirements of this Section  
11 from all persons to whom the information is disclosed as soon  
12 as circumstances permit.

13 (Source: P.A. 98-22, eff. 6-17-13; revised 7-16-21.)

14 Section 160. The Sports Wagering Act is amended by  
15 changing Section 25-90 as follows:

16 (230 ILCS 45/25-90)

17 Sec. 25-90. Tax; Sports Wagering Fund.

18 (a) For the privilege of holding a license to operate  
19 sports wagering under this Act, this State shall impose and  
20 collect 15% of a master sports wagering licensee's adjusted  
21 gross sports wagering receipts from sports wagering. The  
22 accrual method of accounting shall be used for purposes of  
23 calculating the amount of the tax owed by the licensee.

24 The taxes levied and collected pursuant to this subsection

1 (a) are due and payable to the Board no later than the last day  
2 of the month following the calendar month in which the  
3 adjusted gross sports wagering receipts were received and the  
4 tax obligation was accrued.

5 (a-5) In addition to the tax imposed under subsection (a)  
6 of this Section, for the privilege of holding a license to  
7 operate sports wagering under this Act, the State shall impose  
8 and collect 2% of the adjusted gross receipts from sports  
9 wagers that are placed within a home rule county with a  
10 population of over 3,000,000 inhabitants, which shall be paid,  
11 subject to appropriation from the General Assembly, from the  
12 Sports Wagering Fund to that home rule county for the purpose  
13 of enhancing the county's criminal justice system.

14 (b) The Sports Wagering Fund is hereby created as a  
15 special fund in the State treasury. Except as otherwise  
16 provided in this Act, all moneys collected under this Act by  
17 the Board shall be deposited into the Sports Wagering Fund. On  
18 the 25th of each month, any moneys remaining in the Sports  
19 Wagering Fund in excess of the anticipated monthly  
20 expenditures from the Fund through the next month, as  
21 certified by the Board to the State Comptroller, shall be  
22 transferred by the State Comptroller and the State Treasurer  
23 to the Capital Projects Fund.

24 (c) Beginning with July 2021, and on a monthly basis  
25 thereafter, the Board shall certify to the State Comptroller  
26 the amount of license fees collected in the month for initial



1 licenses issued under this Act, except for occupational  
2 licenses. As soon after certification as practicable, the  
3 State Comptroller shall direct and the State Treasurer shall  
4 transfer the certified amount from the Sports Wagering Fund to  
5 the Rebuild Illinois Projects Fund.

6 (Source: P.A. 101-31, eff. 6-28-19; 102-16, eff. 6-17-21;  
7 revised 7-16-21.)

8 Section 165. The Illinois Public Aid Code is amended by  
9 changing Sections 5-5.7a and 5-5e as follows:

10 (305 ILCS 5/5-5.7a)

11 Sec. 5-5.7a. Pandemic related stability payments for  
12 health care providers. Notwithstanding other provisions of  
13 law, and in accordance with the Illinois Emergency Management  
14 Agency, the Department of Healthcare and Family Services shall  
15 develop a process to distribute pandemic related stability  
16 payments, from federal sources dedicated for such purposes, to  
17 health care providers that are providing care to recipients  
18 under the Medical Assistance Program. For provider types  
19 serving residents who are recipients of medical assistance  
20 under this Code and are funded by other State agencies, the  
21 Department will coordinate the distribution process of the  
22 pandemic related stability payments. Federal sources dedicated  
23 to pandemic related payments include, but are not limited to,  
24 funds distributed to the State of Illinois from the

1 Coronavirus Relief Fund pursuant to the Coronavirus Aid,  
2 Relief, and Economic Security Act ("CARES Act") and from the  
3 Coronavirus State Fiscal Recovery Fund pursuant to Section  
4 9901 of the American Rescue Plan Act of 2021, that are  
5 appropriated to the Department during Fiscal Years 2020, 2021,  
6 and 2022 for purposes permitted by those federal laws and  
7 related federal guidance.

8 (1) Pandemic related stability payments for these  
9 providers shall be separate and apart from any rate  
10 methodology otherwise defined in this Code to the extent  
11 permitted in accordance with Section 5001 of the CARES Act  
12 and Section 9901 of the American Rescue Plan Act of 2021  
13 and any related federal guidance.

14 (2) Payments made from moneys received from the  
15 Coronavirus Relief Fund shall be used exclusively for  
16 expenses incurred by the providers that are eligible for  
17 reimbursement from the Coronavirus Relief Fund in  
18 accordance with Section 5001 of the CARES Act and related  
19 federal guidance. Payments made from moneys received from  
20 the Coronavirus State Fiscal Recovery Fund shall be used  
21 exclusively for purposes permitted by Section 9901 of the  
22 American Rescue Plan Act of 2021 and related federal  
23 guidance.

24 (3) All providers receiving pandemic related stability  
25 payments shall attest in a format to be created by the  
26 Department and be able to demonstrate that their expenses

1 are pandemic related, were not part of their annual  
2 budgets established before March 1, 2020, and are directly  
3 associated with health care needs.

4 (4) Pandemic related stability payments will be  
5 distributed based on a schedule and framework to be  
6 established by the Department with recognition of the  
7 pandemic related acuity of the situation for each  
8 provider, taking into account the factors including, but  
9 not limited to, the following:†

10 (A) the impact of the pandemic on patients served,  
11 impact on staff, and shortages of the personal  
12 protective equipment necessary for infection control  
13 efforts for all providers;

14 (B) COVID-19 positivity rates among staff, or  
15 patients, or both;

16 (C) pandemic related workforce challenges and  
17 costs associated with temporary wage increases  
18 associated with pandemic related hazard pay programs,  
19 or costs associated with which providers do not have  
20 enough staff to adequately provide care and protection  
21 to the residents and other staff;

22 (D) providers with significant reductions in  
23 utilization that result in corresponding reductions in  
24 revenue as a result of the pandemic, including, but  
25 not limited to, the cancellation or postponement of  
26 elective procedures and visits;

1 (E) pandemic related payments received directly by  
2 the providers through other federal resources;

3 (F) current efforts to respond to and provide  
4 services to communities disproportionately impacted by  
5 the COVID-19 public health emergency, including  
6 low-income and socially vulnerable communities that  
7 have seen the most severe health impacts and  
8 exacerbated health inequities along racial, ethnic,  
9 and socioeconomic lines; and

10 (G) provider needs for capital improvements to  
11 existing facilities, including upgrades to HVAC and  
12 ventilation systems and capital improvements for  
13 enhancing infection control or reducing crowding,  
14 which may include bed-buybacks.

15 (5) Pandemic related stability payments made from  
16 moneys received from the Coronavirus Relief Fund will be  
17 distributed to providers based on a methodology to be  
18 administered by the Department with amounts determined by  
19 a calculation of total federal pandemic related funds  
20 appropriated by the Illinois General Assembly for this  
21 purpose. Providers receiving the pandemic related  
22 stability payments will attest to their increased costs,  
23 declining revenues, and receipt of additional pandemic  
24 related funds directly from the federal government.

25 (6) Of the payments provided for by this Section made  
26 from moneys received from the Coronavirus Relief Fund, a

1 minimum of 30% shall be allotted for health care providers  
2 that serve the ZIP codes located in the most  
3 disproportionately impacted areas of Illinois, based on  
4 positive COVID-19 cases based on data collected by the  
5 Department of Public Health and provided to the Department  
6 of Healthcare and Family Services.

7 (7) From funds appropriated, directly or indirectly,  
8 from moneys received by the State from the Coronavirus  
9 State Fiscal Recovery Fund for Fiscal Years 2021 and 2022,  
10 the Department shall expend such funds only for purposes  
11 permitted by Section 9901 of the American Rescue Plan Act  
12 of 2021 and related federal guidance. Such expenditures  
13 may include, but are not limited to: payments to providers  
14 for costs incurred due to the COVID-19 public health  
15 emergency; unreimbursed costs for testing and treatment of  
16 uninsured Illinois residents; costs of COVID-19 mitigation  
17 and prevention; medical expenses related to aftercare or  
18 extended care for COVID-19 patients with longer term  
19 symptoms and effects; costs of behavioral health care;  
20 costs of public health and safety staff; and expenditures  
21 permitted in order to address (i) disparities in public  
22 health outcomes, (ii) nursing and other essential health  
23 care workforce investments, (iii) exacerbation of  
24 pre-existing disparities, and (iv) promoting healthy  
25 childhood environments.

26 (8) From funds appropriated, directly or indirectly,

1 from moneys received by the State from the Coronavirus  
2 State Fiscal Recovery Fund for Fiscal Years 2022 and 2023,  
3 the Department shall establish a program for making  
4 payments to long term care service providers and  
5 facilities, for purposes related to financial support for  
6 workers in the long term care industry, but only as  
7 permitted by either the CARES Act or Section 9901 of the  
8 American Rescue Plan Act of 2021 and related federal  
9 guidance, including, but not limited to the following:  
10 monthly amounts of \$25,000,000 per month for July 2021,  
11 August 2021, and September 2021 where at least 50% of the  
12 funds in July shall be passed directly to front line  
13 workers and an additional 12.5% more in each of the next 2  
14 months; financial support programs for providers enhancing  
15 direct care staff recruitment efforts through the payment  
16 of education expenses; and financial support programs for  
17 providers offering enhanced and expanded training for all  
18 levels of the long term care healthcare workforce to  
19 achieve better patient outcomes, such as training on  
20 infection control, proper personal protective equipment,  
21 best practices in quality of care, and culturally  
22 competent patient communications. The Department shall  
23 have the authority to audit and potentially recoup funds  
24 not utilized as outlined and attested.

25 (9) From funds appropriated, directly or indirectly,  
26 from moneys received by the State from the Coronavirus

1 State Fiscal Recovery Fund for Fiscal Years 2022 through  
2 2024 the Department shall establish a program for making  
3 payments to facilities licensed under the Nursing Home  
4 Care Act and facilities licensed under the Specialized  
5 Mental Health Rehabilitation Act of 2013. To the extent  
6 permitted by Section 9901 of the American Rescue Plan Act  
7 of 2021 and related federal guidance, the program shall  
8 provide payments for making permanent improvements to  
9 resident rooms in order to improve resident outcomes and  
10 infection control. Funds may be used to reduce bed  
11 capacity and room occupancy. To be eligible for funding, a  
12 facility must submit an application to the Department as  
13 prescribed by the Department and as published on its  
14 website. A facility may need to receive approval from the  
15 Health Facilities and Services Review Board for the  
16 permanent improvements or the removal of the beds before  
17 it can receive payment under this paragraph.

18 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;  
19 revised 7-16-21.)

20 (305 ILCS 5/5-5e)

21 Sec. 5-5e. Adjusted rates of reimbursement.

22 (a) Rates or payments for services in effect on June 30,  
23 2012 shall be adjusted and services shall be affected as  
24 required by any other provision of Public Act 97-689. In  
25 addition, the Department shall do the following:

1           (1) Delink the per diem rate paid for supportive  
2 living facility services from the per diem rate paid for  
3 nursing facility services, effective for services provided  
4 on or after May 1, 2011 and before July 1, 2019.

5           (2) Cease payment for bed reserves in nursing  
6 facilities and specialized mental health rehabilitation  
7 facilities; for purposes of therapeutic home visits for  
8 individuals scoring as TBI on the MDS 3.0, beginning June  
9 1, 2015, the Department shall approve payments for bed  
10 reserves in nursing facilities and specialized mental  
11 health rehabilitation facilities that have at least a 90%  
12 occupancy level and at least 80% of their residents are  
13 Medicaid eligible. Payment shall be at a daily rate of 75%  
14 of an individual's current Medicaid per diem and shall not  
15 exceed 10 days in a calendar month.

16           (2.5) Cease payment for bed reserves for purposes of  
17 inpatient hospitalizations to intermediate care facilities  
18 for persons with developmental disabilities, except in the  
19 instance of residents who are under 21 years of age.

20           (3) Cease payment of the \$10 per day add-on payment to  
21 nursing facilities for certain residents with  
22 developmental disabilities.

23           (b) After the application of subsection (a),  
24 notwithstanding any other provision of this Code to the  
25 contrary and to the extent permitted by federal law, on and  
26 after July 1, 2012, the rates of reimbursement for services



1 and other payments provided under this Code shall further be  
2 reduced as follows:

3 (1) Rates or payments for physician services, dental  
4 services, or community health center services reimbursed  
5 through an encounter rate, and services provided under the  
6 Medicaid Rehabilitation Option of the Illinois Title XIX  
7 State Plan shall not be further reduced, except as  
8 provided in Section 5-5b.1.

9 (2) Rates or payments, or the portion thereof, paid to  
10 a provider that is operated by a unit of local government  
11 or State University that provides the non-federal share of  
12 such services shall not be further reduced, except as  
13 provided in Section 5-5b.1.

14 (3) Rates or payments for hospital services delivered  
15 by a hospital defined as a Safety-Net Hospital under  
16 Section 5-5e.1 of this Code shall not be further reduced,  
17 except as provided in Section 5-5b.1.

18 (4) Rates or payments for hospital services delivered  
19 by a Critical Access Hospital, which is an Illinois  
20 hospital designated as a critical care hospital by the  
21 Department of Public Health in accordance with 42 CFR 485,  
22 Subpart F, shall not be further reduced, except as  
23 provided in Section 5-5b.1.

24 (5) Rates or payments for Nursing Facility Services  
25 shall only be further adjusted pursuant to Section 5-5.2  
26 of this Code.

1           (6) Rates or payments for services delivered by long  
2 term care facilities licensed under the ID/DD Community  
3 Care Act or the MC/DD Act and developmental training  
4 services shall not be further reduced.

5           (7) Rates or payments for services provided under  
6 capitation rates shall be adjusted taking into  
7 consideration the rates reduction and covered services  
8 required by Public Act 97-689.

9           (8) For hospitals not previously described in this  
10 subsection, the rates or payments for hospital services  
11 provided before July 1, 2021, shall be further reduced by  
12 3.5%, except for payments authorized under Section 5A-12.4  
13 of this Code. For hospital services provided on or after  
14 July 1, 2021, all rates for hospital services previously  
15 reduced pursuant to Public Act ~~P.A.~~ 97-689 shall be  
16 increased to reflect the discontinuation of any hospital  
17 rate reductions authorized in this paragraph (8).

18           (9) For all other rates or payments for services  
19 delivered by providers not specifically referenced in  
20 paragraphs (1) through (7), rates or payments shall be  
21 further reduced by 2.7%.

22           (c) Any assessment imposed by this Code shall continue and  
23 nothing in this Section shall be construed to cause it to  
24 cease.

25           (d) Notwithstanding any other provision of this Code to  
26 the contrary, subject to federal approval under Title XIX of

1 the Social Security Act, for dates of service on and after July  
2 1, 2014, rates or payments for services provided for the  
3 purpose of transitioning children from a hospital to home  
4 placement or other appropriate setting by a children's  
5 community-based health care center authorized under the  
6 Alternative Health Care Delivery Act shall be \$683 per day.

7 (e) (Blank).

8 (f) (Blank).

9 (Source: P.A. 101-10, eff. 6-5-19; 101-649, eff. 7-7-20;  
10 102-16, eff. 6-17-21; revised 7-16-21.)

11 Section 170. The Cannabis Regulation and Tax Act is  
12 amended by changing Section 55-28 as follows:

13 (410 ILCS 705/55-28)

14 Sec. 55-28. Restricted cannabis zones.

15 (a) As used in this Section:

16 "Legal voter" means a person:

17 (1) who is duly registered to vote in a municipality  
18 with a population of over 500,000;

19 (2) whose name appears on a poll list compiled by the  
20 city board of election commissioners since the last  
21 preceding election, regardless of whether the election was  
22 a primary, general, or special election;

23 (3) who, at the relevant time, is a resident of the  
24 address at which he or she is registered to vote; and

1           (4) whose address, at the relevant time, is located in  
2           the precinct where such person seeks to file a notice of  
3           intent to initiate a petition process, circulate a  
4           petition, or sign a petition under this Section.

5           As used in the definition of "legal voter", "relevant  
6           time" means any time that:

7           (i) a notice of intent is filed, pursuant to  
8           subsection (c) of this Section, to initiate the petition  
9           process under this Section;

10          (ii) the petition is circulated for signature in the  
11          applicable precinct; or

12          (iii) the petition is signed by registered voters in  
13          the applicable precinct.

14          "Petition" means the petition described in this Section.

15          "Precinct" means the smallest constituent territory within  
16          a municipality with a population of over 500,000 in which  
17          electors vote as a unit at the same polling place in any  
18          election governed by the Election Code.

19          "Restricted cannabis zone" means a precinct within which  
20          home cultivation, one or more types of cannabis business  
21          establishments, or both has been prohibited pursuant to an  
22          ordinance initiated by a petition under this Section.

23          (b) The legal voters of any precinct within a municipality  
24          with a population of over 500,000 may petition their local  
25          alderperson, using a petition form made available online by  
26          the city clerk, to introduce an ordinance establishing the

1 precinct as a restricted zone. Such petition shall specify  
2 whether it seeks an ordinance to prohibit, within the  
3 precinct: (i) home cultivation; (ii) one or more types of  
4 cannabis business establishments; or (iii) home cultivation  
5 and one or more types of cannabis business establishments.

6 Upon receiving a petition containing the signatures of at  
7 least 25% of the registered voters of the precinct, and  
8 concluding that the petition is legally sufficient following  
9 the posting and review process in subsection (c) of this  
10 Section, the city clerk shall notify the local alderperson of  
11 the ward in which the precinct is located. Upon being  
12 notified, that alderperson, following an assessment of  
13 relevant factors within the precinct, including, but not  
14 limited to, its geography, density and character, the  
15 prevalence of residentially zoned property, current licensed  
16 cannabis business establishments in the precinct, the current  
17 amount of home cultivation in the precinct, and the prevailing  
18 viewpoint with regard to the issue raised in the petition, may  
19 introduce an ordinance to the municipality's governing body  
20 creating a restricted cannabis zone in that precinct.

21 (c) A person seeking to initiate the petition process  
22 described in this Section shall first submit to the city clerk  
23 notice of intent to do so, on a form made available online by  
24 the city clerk. That notice shall include a description of the  
25 potentially affected area and the scope of the restriction  
26 sought. The city clerk shall publicly post the submitted

1 notice online.

2 To be legally sufficient, a petition must contain the  
3 requisite number of valid signatures and all such signatures  
4 must be obtained within 90 days of the date that the city clerk  
5 publicly posts the notice of intent. Upon receipt, the city  
6 clerk shall post the petition on the municipality's website  
7 for a 30-day comment period. The city clerk is authorized to  
8 take all necessary and appropriate steps to verify the legal  
9 sufficiency of a submitted petition. Following the petition  
10 review and comment period, the city clerk shall publicly post  
11 online the status of the petition as accepted or rejected, and  
12 if rejected, the reasons therefor. If the city clerk rejects a  
13 petition as legally insufficient, a minimum of 12 months must  
14 elapse from the time the city clerk posts the rejection notice  
15 before a new notice of intent for that same precinct may be  
16 submitted.

17 (c-5) Within 3 days after receiving an application for  
18 zoning approval to locate a cannabis business establishment  
19 within a municipality with a population of over 500,000, the  
20 municipality shall post a public notice of the filing on its  
21 website and notify the alderperson ~~alderman~~ of the ward in  
22 which the proposed cannabis business establishment is to be  
23 located of the filing. No action shall be taken on the zoning  
24 application for 7 business days following the notice of the  
25 filing for zoning approval.

26 If a notice of intent to initiate the petition process to

1 prohibit the type of cannabis business establishment proposed  
2 in the precinct of the proposed cannabis business  
3 establishment is filed prior to the filing of the application  
4 or within the 7-day period after the filing of the  
5 application, the municipality shall not approve the  
6 application for at least 90 days after the city clerk publicly  
7 posts the notice of intent to initiate the petition process.  
8 If a petition is filed within the 90-day petition-gathering  
9 period described in subsection (c), the municipality shall not  
10 approve the application for an additional 90 days after the  
11 city clerk's receipt of the petition; provided that if the  
12 city clerk rejects a petition as legally insufficient, the  
13 municipality may approve the application prior to the end of  
14 the 90 days. If a petition is not submitted within the 90-day  
15 petition-gathering period described in subsection (c), the  
16 municipality may approve the application unless the approval  
17 is otherwise stayed pursuant to this subsection by a separate  
18 notice of intent to initiate the petition process filed timely  
19 within the 7-day period.

20 If no legally sufficient petition is timely filed, a  
21 minimum of 12 months must elapse before a new notice of intent  
22 for that same precinct may be submitted.

23 (d) Notwithstanding any law to the contrary, the  
24 municipality may enact an ordinance creating a restricted  
25 cannabis zone. The ordinance shall:

26 (1) identify the applicable precinct boundaries as of

1 the date of the petition;

2 (2) state whether the ordinance prohibits within the  
3 defined boundaries of the precinct, and in what  
4 combination: (A) one or more types of cannabis business  
5 establishments; or (B) home cultivation;

6 (3) be in effect for 4 years, unless repealed earlier;  
7 and

8 (4) once in effect, be subject to renewal by ordinance  
9 at the expiration of the 4-year period without the need  
10 for another supporting petition.

11 (e) An Early Approval Adult Use Dispensing Organization  
12 License permitted to relocate under subsection (b-5) of  
13 Section 15-15 shall not relocate to a restricted cannabis  
14 zone.

15 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;  
16 102-15, eff. 6-17-21; 102-98, eff. 7-15-21; revised 8-3-21.)

17 Section 175. The Reimagine Public Safety Act is amended by  
18 changing Section 35-10 as follows:

19 (430 ILCS 69/35-10)

20 Sec. 35-10. Definitions. As used in this Act:

21 "Approved technical assistance and training provider"  
22 means an organization that has experience in improving the  
23 outcomes of local community-based organizations by providing  
24 supportive services that address the gaps in their resources



1 and knowledge about content-based work or provide support and  
2 knowledge about the administration and management of  
3 organizations, or both. Approved technical assistance and  
4 training providers as defined in this Act are intended to  
5 assist community organizations with evaluating the need for  
6 evidence-based ~~evidenced-based~~ violence prevention services,  
7 promising violence prevention programs, starting up  
8 programming, and strengthening the quality of existing  
9 programming.

10 "Communities" means, for municipalities with a 1,000,000  
11 or more population in Illinois, the 77 designated areas  
12 defined by the University of Chicago Social Science Research  
13 Committee as amended in 1980.

14 "Concentrated firearm violence" means the 17 most violent  
15 communities in Illinois municipalities greater than one  
16 million residents and the 10 most violent municipalities with  
17 less than 1,000,000 residents and greater than 25,000  
18 residents with the most per capita firearm-shot incidents from  
19 January 1, 2016 through December 31, 2020.

20 "Criminal justice-involved" means an individual who has  
21 been arrested, indicted, convicted, adjudicated delinquent, or  
22 otherwise detained by criminal justice authorities for  
23 violation of Illinois criminal laws.

24 "Evidence-based high-risk youth intervention services"  
25 means programs that reduce involvement in the criminal justice  
26 system, increase school attendance, and refer high-risk teens

1 into therapeutic programs that address trauma recovery and  
2 other mental health improvements based on best practices in  
3 the youth intervention services field.

4 "Evidence-based ~~Evidenced-based~~ violence prevention  
5 services" means coordinated programming and services that may  
6 include, but are not limited to, effective emotional or trauma  
7 related therapies, housing, employment training, job  
8 placement, family engagement, or wrap-around support services  
9 that are considered to be best practice for reducing violence  
10 within the field of violence intervention research and  
11 practice.

12 "Evidence-based youth development programs" means  
13 after-school and summer programming that provides services to  
14 teens to increase their school attendance, school performance,  
15 reduce involvement in the criminal justice system, and develop  
16 nonacademic interests that build social emotional persistence  
17 and intelligence based on best practices in the field of youth  
18 development services for high-risk youth.

19 "Options school" means a secondary school where 75% or  
20 more of attending students have either stopped attending or  
21 failed their secondary school courses since first attending  
22 ninth grade.

23 "Qualified violence prevention organization" means an  
24 organization that manages and employs qualified violence  
25 prevention professionals.

26 "Qualified violence prevention professional" means a

1 community health worker who renders violence preventive  
2 services.

3 "Social organization" means an organization of individuals  
4 who form the organization for the purposes of enjoyment, work,  
5 and other mutual interests.

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

7 Section 180. The Judicial Districts Act of 2021 is amended  
8 by changing Section 5 as follows:

9 (705 ILCS 23/5)

10 Sec. 5. Legislative intent. The intent of this Act is to  
11 redraw the Judicial Districts to meet the requirements of the  
12 Illinois Constitution of 1970 by providing that outside of the  
13 First District the State "shall be divided by law into four  
14 Judicial Districts of substantially equal population, each of  
15 which shall be compact and composed of contiguous counties."

16 Section 2 of Article VI of the Illinois Constitution of  
17 1970 divides the State into five Judicial Districts for the  
18 selection of Supreme and Appellate Court Judges, with Cook  
19 County comprising the First District and the remainder of the  
20 State "divided by law into four Judicial Districts of  
21 substantially equal population, each of which shall be compact  
22 and composed of contiguous counties." Further, Section 7 of  
23 Article VI provides that a Judicial Circuit must be located  
24 within one Judicial District, and also provides the First

1 Judicial District is comprised of a judicial circuit and the  
2 remainder provided by law, subject to the requirement that  
3 Circuits composed of more than one county shall be compact and  
4 of contiguous counties. The current Judicial District map was  
5 enacted in 1963.

6 The current Judicial Districts do not meet the  
7 Constitution's requirement that four Districts other than the  
8 First District be of "substantially equal population." Using  
9 the American Community Survey data available at the time this  
10 Act is enacted, the population of the current First District  
11 is 5,198,212; the Second District is 3,204,960; the Third  
12 District is 1,782,863; the Fourth District is 1,299,747; and  
13 the Fifth District is 1,284,757.

14 Under this redistricting plan, the population, according  
15 to the American Community Survey, of the Second District will  
16 be 1,770,983; the Third District will be 1,950,349; the Fourth  
17 District will be 2,011,316; and the Fifth District will be  
18 1,839,679. A similar substantially equitable result occurs  
19 using the 2010 U.S. Census data, the most recent decennial  
20 census data available at the time of this Act, with the  
21 population of the Second District being approximately  
22 1,747,387; the Third District being 1,936,616; the Fourth  
23 District being 2,069,660; and the Fifth District being  
24 1,882,294. Because of the constitutional requirement that a  
25 District be composed of whole counties, and given that actual  
26 population changes on a day-to-day basis, the populations are

1 not and could never be exact, but the population of each of the  
2 four Districts created by this Act is substantially equal.

3 In addition to ensuring the population of the four  
4 Districts are substantially equal, this Act complies with  
5 Section 7 of Article VI of the Illinois Constitution of 1970,  
6 which provides that the First Judicial District shall be  
7 comprised of a Judicial Circuit, and the remaining Judicial  
8 Circuits shall be provided by law, and Circuits comprised of  
9 more than one county shall be compact and of contiguous  
10 counties. To comply with Section 7 of Article VI and minimize  
11 disruption to the administration of the Judicial Branch, this  
12 Act avoids changing the compositions and boundaries of the  
13 Judicial Circuits, while simultaneously creating substantially  
14 equally populated, compact, and contiguous Judicial Districts.

15 To further avoid any interruption to the administration of  
16 the Judicial Branch, this Act does not require that the  
17 Supreme Court change where the Appellate Courts currently  
18 reside. By Supreme Court Rule, the Second District Appellate  
19 Court currently sits in Elgin; the Third District Appellate  
20 Court currently sits in Ottawa; the Fourth District Appellate  
21 Court currently sits in Springfield; and the Fifth District  
22 Appellate Court currently sits in Mt. Vernon. Under this Act,  
23 the Supreme Court is not required to change where the  
24 Appellate Courts sit as those cities remain in the Second,  
25 Third, Fourth, and Fifth District respectively.

26 To ensure continuity of service and compliance with the

1 Illinois Constitution of 1970, nothing in this Act is intended  
2 to affect the tenure of any Appellate or Supreme Court Judge  
3 elected or appointed prior to the effective date of this Act.  
4 In accordance with the Constitution, no change in the  
5 boundaries shall affect an incumbent judge's qualification for  
6 office or right to run for retention. Incumbent judges have  
7 the right to run for retention in the counties comprising the  
8 District that elected the judge, or in the counties comprising  
9 the new District where the judge resides, as the judge may  
10 elect. As provided by the Constitution, upon a vacancy in an  
11 elected Supreme or Appellate Court office, the Supreme Court  
12 may fill the vacancy until the vacancy is filled in the next  
13 general election in the counties comprising the District  
14 created by this Act.

15 Further, nothing in this Act is intended to alter or  
16 impair the ability of the Supreme Court to fulfill its  
17 obligations to ensure the proper administration of the  
18 Judicial Branch. For example, it remains within the purview of  
19 the Supreme Court to assign or reassign any judge to any court  
20 or determine assignment of additional judges to the Appellate  
21 Court. Section 1 of the Appellate Act provides that the  
22 "Supreme Court may assign additional judges to service in the  
23 Appellate Court from time to time as the business of the  
24 Appellate Court requires." Currently the Supreme Court has  
25 three judges on assignment to the Second District Appellate  
26 Court, whereas one judge is on assignment to the Third,

1 Fourth, and Fifth Districts. Nothing in this Act seeks to  
2 alter any judicial assignments.

3 Finally, it is the intent of the General Assembly that any  
4 appealable order, as defined by Supreme Court Rules, entered  
5 prior to the effective date of this Act shall be subject to  
6 judicial review by the Judicial District in effect on the date  
7 the order was entered; however, the administrative and  
8 supervisory authority of the courts remains within the purview  
9 of the Supreme Court.

10 (Source: P.A. 102-11, eff. 6-4-21; revised 7-15-21.)

11 Section 185. The Criminal Code of 2012 is amended by  
12 changing Sections 7-5 and 7-5.5 as follows:

13 (720 ILCS 5/7-5) (from Ch. 38, par. 7-5)

14 Sec. 7-5. Peace officer's use of force in making arrest.

15 (a) A peace officer, or any person whom he has summoned or  
16 directed to assist him, need not retreat or desist from  
17 efforts to make a lawful arrest because of resistance or  
18 threatened resistance to the arrest. He is justified in the  
19 use of any force which he reasonably believes, based on the  
20 totality of the circumstances, to be necessary to effect the  
21 arrest and of any force which he reasonably believes, based on  
22 the totality of the circumstances, to be necessary to defend  
23 himself or another from bodily harm while making the arrest.  
24 However, he is justified in using force likely to cause death

1 or great bodily harm only when: (i) he reasonably believes,  
2 based on the totality of the circumstances, that such force is  
3 necessary to prevent death or great bodily harm to himself or  
4 such other person; or (ii) when he reasonably believes, based  
5 on the totality of the circumstances, both that:

6 (1) Such force is necessary to prevent the arrest from  
7 being defeated by resistance or escape and the officer  
8 reasonably believes that the person to be arrested is  
9 likely to cause great bodily harm to another; and

10 (2) The person to be arrested committed or attempted a  
11 forcible felony which involves the infliction or  
12 threatened infliction of great bodily harm or is  
13 attempting to escape by use of a deadly weapon, or  
14 otherwise indicates that he will endanger human life or  
15 inflict great bodily harm unless arrested without delay.

16 As used in this subsection, "retreat" does not mean  
17 tactical repositioning or other de-escalation tactics.

18 A peace officer is not justified in using force likely to  
19 cause death or great bodily harm when there is no longer an  
20 imminent threat of great bodily harm to the officer or  
21 another.

22 (a-5) Where feasible, a peace officer shall, prior to the  
23 use of force, make reasonable efforts to identify himself or  
24 herself as a peace officer and to warn that deadly force may be  
25 used.

26 (a-10) A peace officer shall not use deadly force against



1 a person based on the danger that the person poses to himself  
2 or herself if a ~~an~~ reasonable officer would believe the person  
3 does not pose an imminent threat of death or great bodily harm  
4 to the peace officer or to another person.

5 (a-15) A peace officer shall not use deadly force against  
6 a person who is suspected of committing a property offense,  
7 unless that offense is terrorism or unless deadly force is  
8 otherwise authorized by law.

9 (b) A peace officer making an arrest pursuant to an  
10 invalid warrant is justified in the use of any force which he  
11 would be justified in using if the warrant were valid, unless  
12 he knows that the warrant is invalid.

13 (c) The authority to use physical force conferred on peace  
14 officers by this Article is a serious responsibility that  
15 shall be exercised judiciously and with respect for human  
16 rights and dignity and for the sanctity of every human life.

17 (d) Peace officers shall use deadly force only when  
18 reasonably necessary in defense of human life. In determining  
19 whether deadly force is reasonably necessary, officers shall  
20 evaluate each situation in light of the totality of  
21 circumstances of each case, including, but not limited to, the  
22 proximity in time of the use of force to the commission of a  
23 forcible felony, and the reasonable feasibility of safely  
24 apprehending a subject at a later time, and shall use other  
25 available resources and techniques, if reasonably safe and  
26 feasible to a reasonable officer.

1           (e) The decision by a peace officer to use force shall be  
2 evaluated carefully and thoroughly, in a manner that reflects  
3 the gravity of that authority and the serious consequences of  
4 the use of force by peace officers, in order to ensure that  
5 officers use force consistent with law and agency policies.

6           (f) The decision by a peace officer to use force shall be  
7 evaluated from the perspective of a reasonable officer in the  
8 same situation, based on the totality of the circumstances  
9 known to or perceived by the officer at the time of the  
10 decision, rather than with the benefit of hindsight, and that  
11 the totality of the circumstances shall account for occasions  
12 when officers may be forced to make quick judgments about  
13 using force.

14           (g) Law enforcement agencies are encouraged to adopt and  
15 develop policies designed to protect individuals with  
16 physical, mental health, developmental, or intellectual  
17 disabilities, or individuals who are significantly more likely  
18 to experience greater levels of physical force during police  
19 interactions, as these disabilities may affect the ability of  
20 a person to understand or comply with commands from peace  
21 officers.

22           (h) As used in this Section:

23               (1) "Deadly force" means any use of force that creates  
24 a substantial risk of causing death or great bodily harm,  
25 including, but not limited to, the discharge of a firearm.

26               (2) A threat of death or serious bodily injury is

1 "imminent" when, based on the totality of the  
2 circumstances, a reasonable officer in the same situation  
3 would believe that a person has the present ability,  
4 opportunity, and apparent intent to immediately cause  
5 death or great bodily harm to the peace officer or another  
6 person. An imminent harm is not merely a fear of future  
7 harm, no matter how great the fear and no matter how great  
8 the likelihood of the harm, but is one that, from  
9 appearances, must be instantly confronted and addressed.

10 (3) "Totality of the circumstances" means all facts  
11 known to the peace officer at the time, or that would be  
12 known to a reasonable officer in the same situation,  
13 including the conduct of the officer and the subject  
14 leading up to the use of deadly force.

15 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
16 revised 8-2-21.)

17 (720 ILCS 5/7-5.5)

18 Sec. 7-5.5. Prohibited use of force by a peace officer.

19 (a) A peace officer, or any other person acting under the  
20 color of law, shall not use a chokehold or restraint above the  
21 shoulders with risk of asphyxiation in the performance of his  
22 or her duties, unless deadly force is justified under this  
23 Article ~~7 of this Code~~.

24 (b) A peace officer, or any other person acting under the  
25 color of law, shall not use a chokehold or restraint above the

1       shoulders with risk of asphyxiation, or any lesser contact  
2       with the throat or neck area of another, in order to prevent  
3       the destruction of evidence by ingestion.

4       (c) As used in this Section, "chokehold" means applying  
5       any direct pressure to the throat, windpipe, or airway of  
6       another. "Chokehold" does not include any holding involving  
7       contact with the neck that is not intended to reduce the intake  
8       of air such as a headlock where the only pressure applied is to  
9       the head.

10       (d) As used in this Section, "restraint above the  
11       shoulders with risk of positional asphyxiation" means a use of  
12       a technique used to restrain a person above the shoulders,  
13       including the neck or head, in a position which interferes  
14       with the person's ability to breathe after the person no  
15       longer poses a threat to the officer or any other person.

16       (e) A peace officer, or any other person acting under the  
17       color of law, shall not:

18               (i) use force as punishment or retaliation;

19               (ii) discharge kinetic impact projectiles and all  
20       other non-lethal or ~~non-~~ less-lethal projectiles in a  
21       manner that targets the head, neck, groin, anterior  
22       pelvis, or back;

23               (iii) discharge conducted electrical weapons in a  
24       manner that targets the head, chest, neck, groin, or  
25       anterior pelvis;

26               (iv) discharge firearms or kinetic impact projectiles

1           indiscriminately into a crowd;

2           (v) use chemical agents or irritants for crowd  
3 control, including pepper spray and tear gas, prior to  
4 issuing an order to disperse in a sufficient manner to  
5 allow for the order to be heard and repeated if necessary,  
6 followed by sufficient time and space to allow compliance  
7 with the order unless providing such time and space would  
8 unduly place an officer or another person at risk of death  
9 or great bodily harm; or

10          (vi) use chemical agents or irritants, including  
11 pepper spray and tear gas, prior to issuing an order in a  
12 sufficient manner to ensure the order is heard, and  
13 repeated if necessary, to allow compliance with the order  
14 unless providing such time and space would unduly place an  
15 officer or another person at risk of death or great bodily  
16 harm.

17       (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
18 revised 8-2-21.)

19           Section 190. The State's Attorneys Appellate Prosecutor's  
20 Act is amended by changing Section 3 as follows:

21           (725 ILCS 210/3) (from Ch. 14, par. 203)

22           Sec. 3. There is created the Office of the State's  
23 Attorneys Appellate Prosecutor as a judicial agency of State  
24 ~~state~~ government.

1 (a) The Office of the State's Attorneys Appellate  
2 Prosecutor shall be governed by a board of governors which  
3 shall consist of 10 members as follows:

4 (1) Eight State's Attorneys, 2 to be elected from each  
5 District containing less than 3,000,000 inhabitants;

6 (2) The State's Attorney of Cook County or his or her  
7 designee; and

8 (3) One State's Attorney to be bi-annually appointed  
9 by the other 9 members.

10 (b) Voting for elected members shall be by District with  
11 each of the State's Attorneys voting from their respective  
12 district. Each board member must be duly elected or appointed  
13 and serving as State's Attorney in the district from which he  
14 was elected or appointed.

15 (c) Elected members shall serve for a term of 2 years  
16 commencing upon their election and until their successors are  
17 duly elected or appointed and qualified.

18 (d) A bi-annual ~~An bi-annually~~ election of members of the  
19 board shall be held within 30 days prior or subsequent to the  
20 beginning of ~~the~~ each odd numbered calendar year, and the  
21 board shall certify the results to the Secretary of State.

22 (e) The board shall promulgate rules of procedure for the  
23 election of its members and the conduct of its meetings and  
24 shall elect a Chairman and a Vice-Chairman and such other  
25 officers as it deems appropriate. The board shall meet at  
26 least once every 3 months, and in addition thereto as directed

1 by the Chairman, or upon the special call of any 5 members of  
2 the board, in writing, sent to the Chairman, designating the  
3 time and place of the meeting.

4 (f) Five members of the board shall constitute a quorum  
5 for the purpose of transacting business.

6 (g) Members of the board shall serve without compensation,  
7 but shall be reimbursed for necessary expenses incurred in the  
8 performance of their duties.

9 (h) A position shall be vacated by either a member's  
10 resignation, removal or inability to serve as State's  
11 Attorney.

12 (i) Vacancies on the board of elected members shall be  
13 filled within 90 days of the occurrence of the vacancy by a  
14 special election held by the State's Attorneys in the district  
15 where the vacancy occurred. Vacancies on the board of the  
16 appointed member shall be filled within 90 days of the  
17 occurrence of the vacancy by a special election by the  
18 members. In the case of a special election, the tabulation and  
19 certification of the results may be conducted at any regularly  
20 scheduled quarterly or special meeting called for that  
21 purpose. A member elected or appointed to fill such position  
22 shall serve for the unexpired term of the member whom he is  
23 succeeding. Any member may be re-elected or re-appointed for  
24 additional terms.

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

1 Section 195. The Unified Code of Corrections is amended by  
2 changing Sections 3-2-5.5, 5-8-1, and 5-8A-4 as follows:

3 (730 ILCS 5/3-2-5.5)

4 Sec. 3-2-5.5. Women's Division.

5 (a) As used in this Section:

6 "Gender-responsive" means taking into account gender  
7 specific differences that have been identified in  
8 women-centered research, including, but not limited to,  
9 socialization, psychological development, strengths, risk  
10 factors, pathways through systems, responses to treatment  
11 intervention, and other unique gender specific needs  
12 facing justice-involved women. Gender responsive policies,  
13 practices, programs, and services shall be implemented in  
14 a manner that is considered relational, culturally  
15 competent, family-centered, holistic, strength-based, and  
16 trauma-informed.

17 "Trauma-informed practices" means practices  
18 incorporating gender violence research and the impact of  
19 all forms of trauma in designing and implementing  
20 policies, practices, processes, programs, and services  
21 that involve understanding, recognizing, and responding to  
22 the effects of all types of trauma with emphasis on  
23 physical, psychological, and emotional safety.

24 (b) The Department shall create a permanent Women's  
25 Division under the direct supervision of the Director. The



1 Women's Division shall have statewide authority and  
2 operational oversight for all of the Department's women's  
3 correctional centers and women's adult transition centers.

4 (c) The Director shall appoint a Chief Administrator for  
5 the Women's Division who has received nationally recognized  
6 specialized training in gender-responsive and trauma-informed  
7 practices. The Chief Administrator shall be responsible for:

8 (1) management and supervision of all employees  
9 assigned to the Women's Division correctional centers and  
10 adult transition centers;

11 (2) development and implementation of evidence-based  
12 ~~evidenced-based~~, gender-responsive, and trauma-informed  
13 practices that govern Women's Division operations and  
14 programs;

15 (3) development of the Women's Division training,  
16 orientation, and cycle curriculum, which shall be updated  
17 as needed to align with gender responsive and  
18 trauma-informed practices;

19 (4) training all staff assigned to the Women's  
20 Division correctional centers and adult transition centers  
21 on gender-responsive and trauma-informed practices;

22 (5) implementation of validated gender-responsive  
23 classification and placement instruments;

24 (6) implementation of a gender-responsive risk,  
25 assets, and needs assessment tool and case management  
26 system for the Women's Division; and

1           (7) collaborating with the Chief Administrator of  
2 Parole to ensure staff responsible for supervision of  
3 females under mandatory supervised release are  
4 appropriately trained in evidence-based practices in  
5 community supervision, gender-responsive practices, and  
6 trauma-informed practices.

7 (Source: P.A. 100-527, eff. 6-1-18; 100-576, eff. 6-1-18;  
8 revised 7-16-21.)

9           (730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

10          Sec. 5-8-1. Natural life imprisonment; enhancements for  
11 use of a firearm; mandatory supervised release terms.

12          (a) Except as otherwise provided in the statute defining  
13 the offense or in Article 4.5 of Chapter V, a sentence of  
14 imprisonment for a felony shall be a determinate sentence set  
15 by the court under this Section, subject to Section 5-4.5-115  
16 of this Code, according to the following limitations:

17                 (1) for first degree murder,

18                         (a) (blank),

19                         (b) if a trier of fact finds beyond a reasonable  
20 doubt that the murder was accompanied by exceptionally  
21 brutal or heinous behavior indicative of wanton  
22 cruelty or, except as set forth in subsection  
23 (a) (1) (c) of this Section, that any of the aggravating  
24 factors listed in subsection (b) or (b-5) of Section  
25 9-1 of the Criminal Code of 1961 or the Criminal Code

1 of 2012 are present, the court may sentence the  
2 defendant, subject to Section 5-4.5-105, to a term of  
3 natural life imprisonment, or

4 (c) the court shall sentence the defendant to a  
5 term of natural life imprisonment if the defendant, at  
6 the time of the commission of the murder, had attained  
7 the age of 18, and:

8 (i) has previously been convicted of first  
9 degree murder under any state or federal law, or

10 (ii) is found guilty of murdering more than  
11 one victim, or

12 (iii) is found guilty of murdering a peace  
13 officer, fireman, or emergency management worker  
14 when the peace officer, fireman, or emergency  
15 management worker was killed in the course of  
16 performing his official duties, or to prevent the  
17 peace officer or fireman from performing his  
18 official duties, or in retaliation for the peace  
19 officer, fireman, or emergency management worker  
20 from performing his official duties, and the  
21 defendant knew or should have known that the  
22 murdered individual was a peace officer, fireman,  
23 or emergency management worker, or

24 (iv) is found guilty of murdering an employee  
25 of an institution or facility of the Department of  
26 Corrections, or any similar local correctional

1 agency, when the employee was killed in the course  
2 of performing his official duties, or to prevent  
3 the employee from performing his official duties,  
4 or in retaliation for the employee performing his  
5 official duties, or

6 (v) is found guilty of murdering an emergency  
7 medical technician - ambulance, emergency medical  
8 technician - intermediate, emergency medical  
9 technician - paramedic, ambulance driver or other  
10 medical assistance or first aid person while  
11 employed by a municipality or other governmental  
12 unit when the person was killed in the course of  
13 performing official duties or to prevent the  
14 person from performing official duties or in  
15 retaliation for performing official duties and the  
16 defendant knew or should have known that the  
17 murdered individual was an emergency medical  
18 technician - ambulance, emergency medical  
19 technician - intermediate, emergency medical  
20 technician - paramedic, ambulance driver, or other  
21 medical assistant or first aid personnel, or

22 (vi) (blank), or

23 (vii) is found guilty of first degree murder  
24 and the murder was committed by reason of any  
25 person's activity as a community policing  
26 volunteer or to prevent any person from engaging

1 in activity as a community policing volunteer. For  
2 the purpose of this Section, "community policing  
3 volunteer" has the meaning ascribed to it in  
4 Section 2-3.5 of the Criminal Code of 2012.

5 For purposes of clause (v), "emergency medical  
6 technician - ambulance", "emergency medical technician  
7 - intermediate", "emergency medical technician -  
8 paramedic", have the meanings ascribed to them in the  
9 Emergency Medical Services (EMS) Systems Act.

10 (d) (i) if the person committed the offense while  
11 armed with a firearm, 15 years shall be added to  
12 the term of imprisonment imposed by the court;

13 (ii) if, during the commission of the offense, the  
14 person personally discharged a firearm, 20 years shall  
15 be added to the term of imprisonment imposed by the  
16 court;

17 (iii) if, during the commission of the offense,  
18 the person personally discharged a firearm that  
19 proximately caused great bodily harm, permanent  
20 disability, permanent disfigurement, or death to  
21 another person, 25 years or up to a term of natural  
22 life shall be added to the term of imprisonment  
23 imposed by the court.

24 (2) (blank);

25 (2.5) for a person who has attained the age of 18 years  
26 at the time of the commission of the offense and who is

1 convicted under the circumstances described in subdivision  
2 (b)(1)(B) of Section 11-1.20 or paragraph (3) of  
3 subsection (b) of Section 12-13, subdivision (d)(2) of  
4 Section 11-1.30 or paragraph (2) of subsection (d) of  
5 Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or  
6 paragraph (1.2) of subsection (b) of Section 12-14.1,  
7 subdivision (b)(2) of Section 11-1.40 or paragraph (2) of  
8 subsection (b) of Section 12-14.1 of the Criminal Code of  
9 1961 or the Criminal Code of 2012, the sentence shall be a  
10 term of natural life imprisonment.

11 (b) (Blank).

12 (c) (Blank).

13 (d) Subject to earlier termination under Section 3-3-8,  
14 the parole or mandatory supervised release term shall be  
15 written as part of the sentencing order and shall be as  
16 follows:

17 (1) for first degree murder or for the offenses of  
18 predatory criminal sexual assault of a child, aggravated  
19 criminal sexual assault, and criminal sexual assault if  
20 committed on or before December 12, 2005, 3 years;

21 (1.5) except as provided in paragraph (7) of this  
22 subsection (d), for a Class X felony except for the  
23 offenses of predatory criminal sexual assault of a child,  
24 aggravated criminal sexual assault, and criminal sexual  
25 assault if committed on or after December 13, 2005 (the  
26 effective date of Public Act 94-715) and except for the

1 offense of aggravated child pornography under Section  
2 11-20.1B~~7~~, 11-20.3, or 11-20.1 with sentencing under  
3 subsection (c-5) of Section 11-20.1 of the Criminal Code  
4 of 1961 or the Criminal Code of 2012, if committed on or  
5 after January 1, 2009, 18 months;

6 (2) except as provided in paragraph (7) of this  
7 subsection (d), for a Class 1 felony or a Class 2 felony  
8 except for the offense of criminal sexual assault if  
9 committed on or after December 13, 2005 (the effective  
10 date of Public Act 94-715) and except for the offenses of  
11 manufacture and dissemination of child pornography under  
12 clauses (a)(1) and (a)(2) of Section 11-20.1 of the  
13 Criminal Code of 1961 or the Criminal Code of 2012, if  
14 committed on or after January 1, 2009, 12 months;

15 (3) except as provided in paragraph (4), (6), or (7)  
16 of this subsection (d), a mandatory supervised release  
17 term shall not be imposed for a Class 3 felony or a Class 4  
18 felony; unless:

19 (A) the Prisoner Review Board, based on a  
20 validated risk and needs assessment, determines it is  
21 necessary for an offender to serve a mandatory  
22 supervised release term;

23 (B) if the Prisoner Review Board determines a  
24 mandatory supervised release term is necessary  
25 pursuant to subparagraph (A) of this paragraph (3),  
26 the Prisoner Review Board shall specify the maximum

1           number of months of mandatory supervised release the  
2           offender may serve, limited to a term of: (i) 12 months  
3           for a Class 3 felony; and (ii) 12 months for a Class 4  
4           felony;

5           (4) for defendants who commit the offense of predatory  
6           criminal sexual assault of a child, aggravated criminal  
7           sexual assault, or criminal sexual assault, on or after  
8           December 13, 2005 (the effective date of Public Act  
9           94-715) ~~this amendatory Act of the 94th General Assembly,~~  
10          or who commit the offense of aggravated child pornography  
11          under Section 11-20.1B, 11-20.3, or 11-20.1 with  
12          sentencing under subsection (c-5) of Section 11-20.1 of  
13          the Criminal Code of 1961 or the Criminal Code of 2012,  
14          manufacture of child pornography, or dissemination of  
15          child pornography after January 1, 2009, the term of  
16          mandatory supervised release shall range from a minimum of  
17          3 years to a maximum of the natural life of the defendant;

18          (5) if the victim is under 18 years of age, for a  
19          second or subsequent offense of aggravated criminal sexual  
20          abuse or felony criminal sexual abuse, 4 years, at least  
21          the first 2 years of which the defendant shall serve in an  
22          electronic monitoring or home detention program under  
23          Article 8A of Chapter V of this Code;

24          (6) for a felony domestic battery, aggravated domestic  
25          battery, stalking, aggravated stalking, and a felony  
26          violation of an order of protection, 4 years;



1           (7) for any felony described in paragraph (a)(2)(ii),  
2           (a)(2)(iii), (a)(2)(iv), (a)(2)(vi), (a)(2.1), (a)(2.3),  
3           (a)(2.4), (a)(2.5), or (a)(2.6) of Article 5, Section  
4           3-6-3 of the Unified Code of Corrections requiring an  
5           inmate to serve a minimum of 85% of their court-imposed  
6           sentence, except for the offenses of predatory criminal  
7           sexual assault of a child, aggravated criminal sexual  
8           assault, and criminal sexual assault if committed on or  
9           after December 13, 2005 (the effective date of Public Act  
10          94-715) and except for the offense of aggravated child  
11          pornography under Section 11-20.1B~~7~~, 11-20.3, or 11-20.1  
12          with sentencing under subsection (c-5) of Section 11-20.1  
13          of the Criminal Code of 1961 or the Criminal Code of 2012,  
14          if committed on or after January 1, 2009 and except as  
15          provided in paragraph (4) or paragraph (6) of this  
16          subsection (d), the term of mandatory supervised release  
17          shall be as follows:

18                   (A) Class X felony, 3 years;

19                   (B) Class 1 or Class 2 felonies, 2 years;

20                   (C) Class 3 or Class 4 felonies, 1 year.

21           (e) (Blank).

22           (f) (Blank).

23           (g) Notwithstanding any other provisions of this Act and  
24          of Public Act 101-652: (i) the provisions of paragraph (3) of  
25          subsection (d) are effective on January 1, 2022 and shall  
26          apply to all individuals convicted on or after the effective

1 date of paragraph (3) of subsection (d); and (ii) the  
2 provisions of paragraphs (1.5) and (2) of subsection (d) are  
3 effective on July 1, 2021 and shall apply to all individuals  
4 convicted on or after the effective date of paragraphs (1.5)  
5 and (2) of subsection (d).

6 (Source: P.A. 101-288, eff. 1-1-20; 101-652, eff. 7-1-21;  
7 102-28, eff. 6-25-21; revised 8-2-21.)

8 (730 ILCS 5/5-8A-4) (from Ch. 38, par. 1005-8A-4)

9 Sec. 5-8A-4. Program description. The supervising  
10 authority may promulgate rules that prescribe reasonable  
11 guidelines under which an electronic monitoring and home  
12 detention program shall operate. When using electronic  
13 monitoring for home detention these rules may include, but not  
14 be limited to, the following:

15 (A) The participant may be instructed to remain within  
16 the interior premises or within the property boundaries of  
17 his or her residence at all times during the hours  
18 designated by the supervising authority. Such instances of  
19 approved absences from the home shall include, but are not  
20 limited to, the following:

21 (1) working or employment approved by the court or  
22 traveling to or from approved employment;

23 (2) unemployed and seeking employment approved for  
24 the participant by the court;

25 (3) undergoing medical, psychiatric, mental health

1 treatment, counseling, or other treatment programs  
2 approved for the participant by the court;

3 (4) attending an educational institution or a  
4 program approved for the participant by the court;

5 (5) attending a regularly scheduled religious  
6 service at a place of worship;

7 (6) participating in community work release or  
8 community service programs approved for the  
9 participant by the supervising authority; ~~or~~

10 (7) for another compelling reason consistent with  
11 the public interest, as approved by the supervising  
12 authority; or.

13 (8) purchasing groceries, food, or other basic  
14 necessities.

15 (A-1) At a minimum, any person ordered to pretrial  
16 home confinement with or without electronic monitoring  
17 must be provided with movement spread out over no fewer  
18 than two days per week, to participate in basic activities  
19 such as those listed in paragraph (A).

20 (B) The participant shall admit any person or agent  
21 designated by the supervising authority into his or her  
22 residence at any time for purposes of verifying the  
23 participant's compliance with the conditions of his or her  
24 detention.

25 (C) The participant shall make the necessary  
26 arrangements to allow for any person or agent designated

1 by the supervising authority to visit the participant's  
2 place of education or employment at any time, based upon  
3 the approval of the educational institution employer or  
4 both, for the purpose of verifying the participant's  
5 compliance with the conditions of his or her detention.

6 (D) The participant shall acknowledge and participate  
7 with the approved electronic monitoring device as  
8 designated by the supervising authority at any time for  
9 the purpose of verifying the participant's compliance with  
10 the conditions of his or her detention.

11 (E) The participant shall maintain the following:

12 (1) access to a working telephone;

13 (2) a monitoring device in the participant's home,  
14 or on the participant's person, or both; and

15 (3) a monitoring device in the participant's home  
16 and on the participant's person in the absence of a  
17 telephone.

18 (F) The participant shall obtain approval from the  
19 supervising authority before the participant changes  
20 residence or the schedule described in subsection (A) of  
21 this Section. Such approval shall not be unreasonably  
22 withheld.

23 (G) The participant shall not commit another crime  
24 during the period of home detention ordered by the Court.

25 (H) Notice to the participant that violation of the  
26 order for home detention may subject the participant to

1 prosecution for the crime of escape as described in  
2 Section 5-8A-4.1.

3 (I) The participant shall abide by other conditions as  
4 set by the supervising authority.

5 (J) This Section takes effect January 1, 2022.

6 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
7 revised 8-3-21.)

8 Section 200. The Reporting of Deaths in Custody Act is  
9 amended by changing Section 3-5 as follows:

10 (730 ILCS 210/3-5)

11 Sec. 3-5. Report of deaths of persons in custody in  
12 correctional institutions.

13 (a) In this Act, "law enforcement agency" includes each  
14 law enforcement entity within this State having the authority  
15 to arrest and detain persons suspected of, or charged with,  
16 committing a criminal offense, and each law enforcement entity  
17 that operates a lock up, jail, prison, or any other facility  
18 used to detain persons for legitimate law enforcement  
19 purposes.

20 (b) In any case in which a person dies:

21 (1) while in the custody of:

22 (A) a law enforcement agency;

23 (B) a local or State correctional facility in this  
24 State; or

1 (C) a peace officer; or

2 (2) as a result of the peace officer's use of force,  
3 the law enforcement agency shall investigate and report  
4 the death in writing to the Illinois Criminal Justice  
5 Information Authority, no later than 30 days after the  
6 date on which the person in custody or incarcerated died.  
7 The written report shall contain the following  
8 information:

9 (A) the following facts concerning the death that  
10 are in the possession of the law enforcement agency in  
11 charge of the investigation and the correctional  
12 facility where the death occurred, race, age, gender,  
13 sexual orientation, and gender identity of the  
14 decedent, and a brief description of causes,  
15 contributing factors and the circumstances surrounding  
16 the death;

17 (B) if the death occurred in custody, the report  
18 shall also include the jurisdiction, the law  
19 enforcement agency providing the investigation, and  
20 the local or State facility where the death occurred;

21 (C) if the death occurred in custody the report  
22 shall also include if emergency care was requested by  
23 the law enforcement agency in response to any illness,  
24 injury, self-inflicted or otherwise, or other issue  
25 related to rapid deterioration of physical wellness or  
26 human subsistence, and details concerning emergency

1 care that were provided to the decedent if emergency  
2 care was provided.

3 (c) The law enforcement agency and the involved  
4 correctional administrators shall make a good faith effort to  
5 obtain all relevant facts and circumstances relevant to the  
6 death and include those in the report.

7 (d) The Illinois Criminal Justice Information Authority  
8 shall create a standardized form to be used for the purpose of  
9 collecting information as described in subsection (b). The  
10 information shall comply with this Act and the federal ~~Federal~~  
11 Death in Custody Reporting Act of 2013.

12 (e) Law enforcement agencies shall use the form described  
13 in subsection (d) to report all cases in which a person dies:

14 (1) while in the custody of:

15 (A) a law enforcement agency;

16 (B) a local or State correctional facility in this  
17 State; or

18 (C) a peace officer; or

19 (2) as a result of the peace officer's use of force.

20 (f) The Illinois Criminal Justice Information Authority  
21 may determine the manner in which the form is transmitted from  
22 a law enforcement agency to the Illinois Criminal Justice  
23 Information Authority. All state agencies that collect similar  
24 records as required under this Act, including the Illinois  
25 State Police, Illinois Department of Corrections, and Illinois  
26 Department of Juvenile Justice, shall collaborate with the

1 Illinois Criminal Justice and Information Authority to collect  
2 the information in this Act.

3 (g) The reports shall be public records within the meaning  
4 of subsection (c) of Section 2 of the Freedom of Information  
5 Act and are open to public inspection, with the exception of  
6 any portion of the report that the Illinois Criminal Justice  
7 Information Authority determines is privileged or protected  
8 under Illinois or federal law.

9 (g-5) The Illinois Criminal Justice Information Authority  
10 shall begin collecting this information by January 1, 2022.  
11 The reports and publications in subsections (h) and below  
12 shall begin by June 1, 2022.

13 (h) The Illinois Criminal Justice Information Authority  
14 shall make available to the public information of all  
15 individual reports relating to deaths in custody through the  
16 Illinois Criminal Justice Information Authority's website to  
17 be updated on a quarterly basis.

18 (i) The Illinois Criminal Justice Information Authority  
19 shall issue a public annual report tabulating and evaluating  
20 trends and information on deaths in custody, including, but  
21 not limited to:

22 (1) information regarding the race, gender, sexual  
23 orientation, and gender identity of the decedent; and a  
24 brief description of the circumstances surrounding the  
25 death;

26 (2) if the death occurred in custody, the report shall



1 also include the jurisdiction, law enforcement agency  
2 providing the investigation, and local or State facility  
3 where the death occurred; and

4 (3) recommendations and State and local efforts  
5 underway to reduce deaths in custody.

6 The report shall be submitted to the Governor and General  
7 Assembly and made available to the public on the Illinois  
8 Criminal Justice Information Authority's website the first  
9 week of February of each year.

10 (j) So that the State may oversee the healthcare provided  
11 to any person in the custody of each law enforcement agency  
12 within this State, provision of medical services to these  
13 persons, general care and treatment, and any other factors  
14 that may contribute to the death of any of these persons, the  
15 following information shall be made available to the public on  
16 the Illinois Criminal Justice Information Authority's website:

17 (1) the number of deaths that occurred during the  
18 preceding calendar year;

19 (2) the known, or discoverable upon reasonable  
20 inquiry, causes and contributing factors of each of the  
21 in-custody deaths as defined in subsection (b); and

22 (3) the law enforcement agency's policies, procedures,  
23 and protocols related to:

24 (A) treatment of a person experiencing withdrawal  
25 from alcohol or substance use;

26 (B) the facility's provision, or lack of

1 provision, of medications used to treat, mitigate, or  
2 address a person's symptoms; and

3 (C) notifying an inmate's next of kin after the  
4 inmate's in-custody death.

5 (k) The family, next of kin, or any other person  
6 reasonably nominated by the decedent as an emergency contact  
7 shall be notified as soon as possible in a suitable manner  
8 giving an accurate factual account of the cause of death and  
9 circumstances surrounding the death in custody in accordance  
10 with State and federal law.

11 (l) The law enforcement agency or correctional facility  
12 shall name a staff person to act as dedicated family liaison  
13 officer to be a point of contact for the family, to make and  
14 maintain contact with the family, to report ongoing  
15 developments and findings of investigations, and to provide  
16 information and practical support. If requested by the  
17 deceased's next of kin, the law enforcement agency or  
18 correctional facility shall arrange for a chaplain, counselor,  
19 or other suitable staff member to meet with the family and  
20 discuss any faith considerations or concerns. The family has a  
21 right to the medical records of a family member who has died in  
22 custody and these records shall be disclosed to them in  
23 accordance with State and federal law.

24 (m) Each department shall assign an employee or employees  
25 to file reports under this Section. It is unlawful for a person  
26 who is required under this Section to investigate a death or

1 file a report to fail to include in the report facts known or  
2 discovered in the investigation to the Illinois Criminal  
3 Justice Information Authority. A violation of this Section is  
4 a petty offense, with a fine not to exceed \$500.

5 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;  
6 revised 8-3-21.)

7 Section 205. The Probate Act of 1975 is amended by  
8 changing Section 11a-4 as follows:

9 (755 ILCS 5/11a-4)

10 (Text of Section before amendment by P.A. 102-72)

11 Sec. 11a-4. Temporary guardian.

12 (a) Prior to the appointment of a guardian under this  
13 Article, pending an appeal in relation to the appointment, or  
14 pending the completion of a citation proceeding brought  
15 pursuant to Section 23-3 of this Act, or upon a guardian's  
16 death, incapacity, or resignation, the court may appoint a  
17 temporary guardian upon a showing of the necessity therefor  
18 for the immediate welfare and protection of the alleged person  
19 with a disability or his or her estate and subject to such  
20 conditions as the court may prescribe. A petition for the  
21 appointment of a temporary guardian for an alleged person with  
22 a disability shall be filed at the time of or subsequent to the  
23 filing of a petition for adjudication of disability and  
24 appointment of a guardian. The petition for the appointment of

1 a temporary guardian shall state the facts upon which it is  
2 based and the name, the post office address, and, in the case  
3 of an individual, the age and occupation of the proposed  
4 temporary guardian. In determining the necessity for temporary  
5 guardianship, the immediate welfare and protection of the  
6 alleged person with a disability and his or her estate shall be  
7 of paramount concern, and the interests of the petitioner, any  
8 care provider, or any other party shall not outweigh the  
9 interests of the alleged person with a disability. The  
10 temporary guardian shall have the limited powers and duties of  
11 a guardian of the person or of the estate which are  
12 specifically enumerated by court order. The court order shall  
13 state the actual harm identified by the court that  
14 necessitates temporary guardianship or any extension thereof.

15 (a-5) Notice of the time and place of the hearing on a  
16 petition for the appointment of a temporary guardian shall be  
17 given, not less than 3 days before the hearing, by mail or in  
18 person to the alleged person with a disability, to the  
19 proposed temporary guardian, and to those persons whose names  
20 and addresses are listed in the petition for adjudication of  
21 disability and appointment of a guardian under Section 11a-8.  
22 The court, upon a finding of good cause, may waive the notice  
23 requirement under this subsection.

24 (a-10) Notice of the time and place of the hearing on a  
25 petition to revoke the appointment of a temporary guardian  
26 shall be given, not less than 3 days before the hearing, by

1 mail or in person to the temporary guardian, to the petitioner  
2 on whose petition the temporary guardian was appointed, and to  
3 those persons whose names and addresses are listed in the  
4 petition for adjudication of disability and appointment of a  
5 guardian under Section 11a-8. The court, upon a finding of  
6 good cause, may waive the notice requirements under this  
7 subsection.

8 (b) The temporary guardianship shall expire within 60 days  
9 after the appointment or whenever a guardian is regularly  
10 appointed, whichever occurs first. No extension shall be  
11 granted except:

12 (1) In a case where there has been an adjudication of  
13 disability, an extension shall be granted:

14 (i) pending the disposition on appeal of an  
15 adjudication of disability;

16 (ii) pending the completion of a citation  
17 proceeding brought pursuant to Section 23-3;

18 (iii) pending the appointment of a successor  
19 guardian in a case where the former guardian has  
20 resigned, has become incapacitated, or is deceased; or

21 (iv) where the guardian's powers have been  
22 suspended pursuant to a court order.

23 (2) In a case where there has not been an adjudication  
24 of disability, an extension shall be granted pending the  
25 disposition of a petition brought pursuant to Section  
26 11a-8 so long as the court finds it is in the best interest

1 of the alleged person with a disability to extend the  
2 temporary guardianship so as to protect the alleged person  
3 with a disability from any potential abuse, neglect,  
4 self-neglect, exploitation, or other harm and such  
5 extension lasts no more than 120 days from the date the  
6 temporary guardian was originally appointed.

7 The ward shall have the right any time after the  
8 appointment of a temporary guardian is made to petition the  
9 court to revoke the appointment of the temporary guardian.

10 (Source: P.A. 102-120, eff. 7-23-21; revised 8-3-21.)

11 (Text of Section after amendment by P.A. 102-72)

12 Sec. 11a-4. Temporary guardian.

13 (a) Prior to the appointment of a guardian under this  
14 Article, pending an appeal in relation to the appointment, or  
15 pending the completion of a citation proceeding brought  
16 pursuant to Section 23-3 of this Act, or upon a guardian's  
17 death, incapacity, or resignation, the court may appoint a  
18 temporary guardian upon a showing of the necessity therefor  
19 for the immediate welfare and protection of the alleged person  
20 with a disability or his or her estate and subject to such  
21 conditions as the court may prescribe. A petition for the  
22 appointment of a temporary guardian for an alleged person with  
23 a disability shall be filed at the time of or subsequent to the  
24 filing of a petition for adjudication of disability and  
25 appointment of a guardian. The petition for the appointment of

1 a temporary guardian shall state the facts upon which it is  
2 based and the name, the post office address, and, in the case  
3 of an individual, the age and occupation of the proposed  
4 temporary guardian. In determining the necessity for temporary  
5 guardianship, the immediate welfare and protection of the  
6 alleged person with a disability and his or her estate shall be  
7 of paramount concern, and the interests of the petitioner, any  
8 care provider, or any other party shall not outweigh the  
9 interests of the alleged person with a disability. The  
10 temporary guardian shall have the limited powers and duties of  
11 a guardian of the person or of the estate which are  
12 specifically enumerated by court order. The court order shall  
13 state the actual harm identified by the court that  
14 necessitates temporary guardianship or any extension thereof.

15 (a-5) Notice of the time and place of the hearing on a  
16 petition for the appointment of a temporary guardian shall be  
17 given, not less than 3 days before the hearing, by mail or in  
18 person to the alleged person with a disability, to the  
19 proposed temporary guardian, and to those persons whose names  
20 and addresses are listed in the petition for adjudication of  
21 disability and appointment of a guardian under Section 11a-8.  
22 The court, upon a finding of good cause, may waive the notice  
23 requirement under this subsection.

24 (a-10) Notice of the time and place of the hearing on a  
25 petition to revoke the appointment of a temporary guardian  
26 shall be given, not less than 3 days before the hearing, by

1 mail or in person to the temporary guardian, to the petitioner  
2 on whose petition the temporary guardian was appointed, and to  
3 those persons whose names and addresses are listed in the  
4 petition for adjudication of disability and appointment of a  
5 guardian under Section 11a-8. The court, upon a finding of  
6 good cause, may waive the notice requirements under this  
7 subsection.

8 (b) The temporary guardianship shall expire within 60 days  
9 after the appointment or whenever a guardian is regularly  
10 appointed, whichever occurs first. No extension shall be  
11 granted except:

12 (1) In a case where there has been an adjudication of  
13 disability, an extension shall be granted:

14 (i) pending the disposition on appeal of an  
15 adjudication of disability;

16 (ii) pending the completion of a citation  
17 proceeding brought pursuant to Section 23-3;

18 (iii) pending the appointment of a successor  
19 guardian in a case where the former guardian has  
20 resigned, has become incapacitated, or is deceased; or

21 (iv) where the guardian's powers have been  
22 suspended pursuant to a court order.

23 (2) In a case where there has not been an adjudication  
24 of disability, an extension shall be granted pending the  
25 disposition of a petition brought pursuant to Section  
26 11a-8 so long as the court finds it is in the best



1 interests of the alleged person with a disability to  
2 extend the temporary guardianship so as to protect the  
3 alleged person with a disability from any potential abuse,  
4 neglect, self-neglect, exploitation, or other harm and  
5 such extension lasts no more than 120 days from the date  
6 the temporary guardian was originally appointed.

7 The ward shall have the right any time after the  
8 appointment of a temporary guardian is made to petition the  
9 court to revoke the appointment of the temporary guardian.

10 (Source: P.A. 102-72, eff. 1-1-22; 102-120, eff 7-23-21;  
11 revised 8-3-21.)

12 Section 210. The Self-Service Storage Facility Act is  
13 amended by changing Section 4 as follows:

14 (770 ILCS 95/4) (from Ch. 114, par. 804)

15 Sec. 4. Enforcement of lien. An owner's lien as provided  
16 for in Section 3 of this Act for a claim which has become due  
17 may be satisfied as follows:

18 (A) The occupant shall be notified. ~~+~~

19 (B) The notice shall be delivered:

20 (1) in person; or

21 (2) by verified mail or by electronic mail to the last  
22 known address of the occupant. ~~+~~

23 (C) The notice shall include:

24 (1) An itemized statement of the owner's claim showing

1 the sum due at the time of the notice and the date when the  
2 sum became due;

3 (2) The name of the facility, address, telephone  
4 number, date, time, location, and manner of the lien sale,  
5 and the occupant's name and unit number;

6 (3) A notice of denial of access to the personal  
7 property, if such denial is permitted under the terms of  
8 the rental agreement, which provides the name, street  
9 address, and telephone number of the owner, or his  
10 designated agent, whom the occupant may contact to respond  
11 to this notice;

12 (3.5) Except as otherwise provided by a rental  
13 agreement and until a lien sale, the exclusive care,  
14 custody, and control of all personal property stored in  
15 the leased self-service storage space remains vested in  
16 the occupant. No bailment or higher level of liability is  
17 created if the owner over-locks the occupant's lock,  
18 thereby denying the occupant access to the storage space.  
19 Rent and other charges related to the lien continue to  
20 accrue during the period of time when access is denied  
21 because of non-payment;

22 (4) A demand for payment within a specified time not  
23 less than 14 days after delivery of the notice;

24 (5) A conspicuous statement that unless the claim is  
25 paid within the time stated in the notice, the personal  
26 property will be advertised for sale or other disposition,

1 and will be sold or otherwise disposed of at a specified  
2 time and place.

3 (D) Any notice made pursuant to this Section shall be  
4 presumed delivered when it is deposited with the United States  
5 Postal Service, and properly addressed with postage prepaid or  
6 sent by electronic mail and the owner receives a receipt of  
7 delivery to the occupant's last known address, except if the  
8 owner does not receive a receipt of delivery for the notice  
9 sent by electronic mail, the notice is presumed delivered when  
10 it is sent to the occupant by verified mail to the occupant's  
11 last known mailing address.~~+~~

12 (E) After the expiration of the time given in the notice,  
13 an advertisement of the sale or other disposition shall be  
14 published once a week for two consecutive weeks in a newspaper  
15 of general circulation where the self-service storage facility  
16 is located. The advertisement shall include:

17 (1) The name of the facility, address, telephone  
18 number, date, time, location, and manner of lien sale and  
19 the occupant's name and unit number.

20 (2) (Blank).

21 (3) The sale or other disposition shall take place not  
22 sooner than 15 days after the first publication. If there  
23 is no newspaper of general circulation where the  
24 self-service storage facility is located, the  
25 advertisement shall be posted at least 10 days before the  
26 date of the sale or other disposition in not less than 6

1           conspicuous places in the neighborhood where the  
2           self-service storage facility is located.

3           (F) Any sale or other disposition of the personal property  
4           shall conform to the terms of the notification as provided for  
5           in this Section.+

6           (G) Any sale or other disposition of the personal property  
7           shall be held at the self-service storage facility, or at the  
8           nearest suitable place to where the personal property is held  
9           or stored. A sale under this Section shall be deemed to be held  
10          at the self-service storage facility where the personal  
11          property is stored if the sale is held on a publicly accessible  
12          online website.+

13          (G-5) If the property upon which the lien is claimed is a  
14          motor vehicle or watercraft and rent or other charges related  
15          to the property remain unpaid or unsatisfied for 60 days, the  
16          owner may have the property towed from the self-service  
17          storage facility. If a motor vehicle or watercraft is towed,  
18          the owner shall not be liable for any damage to the motor  
19          vehicle or watercraft, once the tower takes possession of the  
20          property. After the motor vehicle or watercraft is towed, the  
21          owner may pursue other collection options against the  
22          delinquent occupant for any outstanding debt. If the owner  
23          chooses to sell a motor vehicle, aircraft, mobile home, moped,  
24          motorcycle, snowmobile, trailer, or watercraft, the owner  
25          shall contact the Secretary of State and any other  
26          governmental agency as reasonably necessary to determine the

1 name and address of the title holder or lienholder of the item,  
2 and the owner shall notify every identified title holder or  
3 lienholder of the time and place of the proposed sale. The  
4 owner is required to notify the holder of a security interest  
5 only if the security interest is filed under the name of the  
6 person signing the rental agreement or an occupant. An owner  
7 who fails to make the lien searches required by this Section is  
8 liable only to valid lienholders injured by that failure as  
9 provided in Section 3.†

10 (H) Before any sale or other disposition of personal  
11 property pursuant to this Section, the occupant may pay the  
12 amount necessary to satisfy the lien, and the reasonable  
13 expenses incurred under this Section, and thereby redeem the  
14 personal property. Upon receipt of such payment, the owner  
15 shall return the personal property, and thereafter the owner  
16 shall have no liability to any person with respect to such  
17 personal property.†

18 (I) A purchaser in good faith of the personal property  
19 sold to satisfy a lien, as provided for in Section 3 of this  
20 Act, takes the property free of any rights of persons against  
21 whom the lien was valid, despite noncompliance by the owner  
22 with the requirements of this Section.†

23 (J) In the event of a sale under this Section, the owner  
24 may satisfy his lien from the proceeds of the sale, but shall  
25 hold the balance, if any, for delivery on demand to the  
26 occupant. If the occupant does not claim the balance of the

1 proceeds within one year of the date of sale, it shall become  
2 the property of the owner without further recourse by the  
3 occupant.

4 (K) The lien on any personal property created by this Act  
5 shall be terminated as to any such personal property which is  
6 sold or otherwise disposed of pursuant to this Act and any such  
7 personal property which is removed from the self-service  
8 storage facility.

9 (L) If 3 or more bidders who are unrelated to the owner are  
10 in attendance at a sale held under this Section, the sale and  
11 its proceeds are deemed to be commercially reasonable.

12 (Source: P.A. 97-599, eff. 8-26-11; 98-1106, eff. 1-1-15;  
13 revised 7-16-21.)

14 Section 215. The Predatory Loan Prevention Act is amended  
15 by changing Section 15-1-1 as follows:

16 (815 ILCS 123/15-1-1)

17 Sec. 15-1-1. Short title. This Article Act may be cited as  
18 the Predatory Loan Prevention Act. References in this Article  
19 to "this Act" mean this Article.

20 (Source: P.A. 101-658, eff. 3-23-21; revised 7-16-21.)

21 Section 220. The Consumer Fraud and Deceptive Business  
22 Practices Act is amended by changing Section 2Z.5 as follows:

1 (815 ILCS 505/2Z.5)

2 (Section scheduled to be repealed on August 1, 2022)

3 Sec. 2Z.5. Dissemination of a sealed ~~a~~ court file.

4 (a) A private entity or person who violates Section  
5 9-121.5 of the Code of Civil Procedure commits an unlawful  
6 practice within the meaning of this Act.

7 (b) This Section is repealed on August 1, 2022.

8 (Source: P.A. 102-5, eff. 5-17-21; revised 7-16-21.)

9 Section 225. The Unemployment Insurance Act is amended by  
10 changing Section 612 as follows:

11 (820 ILCS 405/612) (from Ch. 48, par. 442)

12 Sec. 612. Academic personnel; ineligibility personnel  
13 ~~ineligibility~~ between academic years or terms.

14 A. Benefits based on wages for services which are  
15 employment under the provisions of Sections 211.1, 211.2, and  
16 302C shall be payable in the same amount, on the same terms,  
17 and subject to the same conditions as benefits payable on the  
18 basis of wages for other services which are employment under  
19 this Act; except that:

20 1. An individual shall be ineligible for benefits, on  
21 the basis of wages for employment in an instructional,  
22 research, or principal administrative capacity performed  
23 for an institution of higher education, for any week which  
24 begins during the period between two successive academic

1 years, or during a similar period between two regular  
2 terms, whether or not successive, or during a period of  
3 paid sabbatical leave provided for in the individual's  
4 contract, if the individual has a contract or contracts to  
5 perform services in any such capacity for any institution  
6 or institutions of higher education for both such academic  
7 years or both such terms.

8 This paragraph 1 shall apply with respect to any week  
9 which begins prior to January 1, 1978.

10 2. An individual shall be ineligible for benefits, on  
11 the basis of wages for service in employment in any  
12 capacity other than those referred to in paragraph 1,  
13 performed for an institution of higher learning, for any  
14 week which begins after September 30, 1983, during a  
15 period between two successive academic years or terms, if  
16 the individual performed such service in the first of such  
17 academic years or terms and there is a reasonable  
18 assurance that the individual will perform such service in  
19 the second of such academic years or terms.

20 3. An individual shall be ineligible for benefits, on  
21 the basis of wages for service in employment in any  
22 capacity other than those referred to in paragraph 1,  
23 performed for an institution of higher education, for any  
24 week which begins after January 5, 1985, during an  
25 established and customary vacation period or holiday  
26 recess, if the individual performed such service in the



1 period immediately before such vacation period or holiday  
2 recess and there is a reasonable assurance that the  
3 individual will perform such service in the period  
4 immediately following such vacation period or holiday  
5 recess.

6 B. Benefits based on wages for services which are  
7 employment under the provisions of Sections 211.1 and 211.2  
8 shall be payable in the same amount, on the same terms, and  
9 subject to the same conditions, as benefits payable on the  
10 basis of wages for other services which are employment under  
11 this Act, except that:

12 1. An individual shall be ineligible for benefits, on  
13 the basis of wages for service in employment in an  
14 instructional, research, or principal administrative  
15 capacity performed for an educational institution, for any  
16 week which begins after December 31, 1977, during a period  
17 between two successive academic years, or during a similar  
18 period between two regular terms, whether or not  
19 successive, or during a period of paid sabbatical leave  
20 provided for in the individual's contract, if the  
21 individual performed such service in the first of such  
22 academic years (or terms) and if there is a contract or a  
23 reasonable assurance that the individual will perform  
24 service in any such capacity for any educational  
25 institution in the second of such academic years (or  
26 terms).

1           2. An individual shall be ineligible for benefits, on  
2           the basis of wages for service in employment in any  
3           capacity other than those referred to in paragraph 1,  
4           performed for an educational institution, for any week  
5           which begins after December 31, 1977, during a period  
6           between two successive academic years or terms, if the  
7           individual performed such service in the first of such  
8           academic years or terms and there is a reasonable  
9           assurance that the individual will perform such service in  
10          the second of such academic years or terms.

11          3. An individual shall be ineligible for benefits, on  
12          the basis of wages for service in employment in any  
13          capacity performed for an educational institution, for any  
14          week which begins after January 5, 1985, during an  
15          established and customary vacation period or holiday  
16          recess, if the individual performed such service in the  
17          period immediately before such vacation period or holiday  
18          recess and there is a reasonable assurance that the  
19          individual will perform such service in the period  
20          immediately following such vacation period or holiday  
21          recess.

22          4. An individual shall be ineligible for benefits on  
23          the basis of wages for service in employment in any  
24          capacity performed in an educational institution while in  
25          the employ of an educational service agency for any week  
26          which begins after January 5, 1985, (a) during a period

1 between two successive academic years or terms, if the  
2 individual performed such service in the first of such  
3 academic years or terms and there is a reasonable  
4 assurance that the individual will perform such service in  
5 the second of such academic years or terms; and (b) during  
6 an established and customary vacation period or holiday  
7 recess, if the individual performed such service in the  
8 period immediately before such vacation period or holiday  
9 recess and there is a reasonable assurance that the  
10 individual will perform such service in the period  
11 immediately following such vacation period or holiday  
12 recess. The term "educational service agency" means a  
13 governmental agency or governmental entity which is  
14 established and operated exclusively for the purpose of  
15 providing such services to one or more educational  
16 institutions.

17 C. 1. If benefits are denied to any individual under the  
18 provisions of paragraph 2 of either subsection A or B of this  
19 Section for any week which begins on or after September 3, 1982  
20 and such individual is not offered a bona fide opportunity to  
21 perform such services for the educational institution for the  
22 second of such academic years or terms, such individual shall  
23 be entitled to a retroactive payment of benefits for each week  
24 for which the individual filed a timely claim for benefits as  
25 determined by the rules and regulations issued by the Director  
26 for the filing of claims for benefits, provided that such

1 benefits were denied solely because of the provisions of  
2 paragraph 2 of either subsection A or B of this Section.

3 2. If benefits on the basis of wages for service in  
4 employment in other than an instructional, research, or  
5 principal administrative capacity performed in an educational  
6 institution while in the employ of an educational service  
7 agency are denied to any individual under the provisions of  
8 subparagraph (a) of paragraph 4 of subsection B and such  
9 individual is not offered a bona fide opportunity to perform  
10 such services in an educational institution while in the  
11 employ of an educational service agency for the second of such  
12 academic years or terms, such individual shall be entitled to  
13 a retroactive payment of benefits for each week for which the  
14 individual filed a timely claim for benefits as determined by  
15 the rules and regulations issued by the Director for the  
16 filing of claims for benefits, provided that such benefits  
17 were denied solely because of subparagraph (a) of paragraph 4  
18 of subsection B of this Section.

19 D. Notwithstanding any other provision in this Section or  
20 paragraph 2 of subsection C of Section 500 to the contrary,  
21 with respect to a week of unemployment beginning on or after  
22 March 15, 2020, and before September 4, 2021~~7~~ (including any  
23 week of unemployment beginning on or after January 1, 2021 and  
24 on or before June 25, 2021 (the effective date of Public Act  
25 102-26) ~~this amendatory Act of the 102nd General Assembly~~),  
26 benefits shall be payable to an individual on the basis of

1 wages for employment in other than an instructional, research,  
2 or principal administrative capacity performed for an  
3 educational institution or an educational service agency under  
4 any of the circumstances described in this Section, to the  
5 extent permitted under Section 3304(a)(6) of the Federal  
6 Unemployment Tax Act, as long as the individual is otherwise  
7 eligible for benefits.

8 (Source: P.A. 101-633, eff. 6-5-20; 102-26, eff. 6-25-21;  
9 revised 8-3-21.)

10 Section 240. Continuation of provisions; validation.

11 (a) The General Assembly finds and declares that Public  
12 Act 102-28 and this Act manifest the intention of the General  
13 Assembly to have Section 1-2-12.1 of the Illinois Municipal  
14 Code and Sections 110-5.1, 110-6.3, 110-6.5, 110-7, 110-8,  
15 110-9, 110-13, 110-14, 110-15, 110-16, 110-17, and 110-18 of  
16 the Code of Criminal Procedure of 1963 continue in effect  
17 until January 1, 2023.

18 (b) Section 1-2-12.1 of the Illinois Municipal Code and  
19 Sections 110-5.1, 110-6.3, 110-6.5, 110-7, 110-8, 110-9,  
20 110-13, 110-14, 110-15, 110-16, 110-17, and 110-18 of the Code  
21 of Criminal Procedure of 1963 are deemed to have been in  
22 continuous effect and shall continue to be in effect until  
23 January 1, 2023. All actions taken in reliance on or under  
24 Section 1-2-12.1 of the Illinois Municipal Code and Sections  
25 110-5.1, 110-6.3, 110-6.5, 110-7, 110-8, 110-9, 110-13,

1 110-14, 110-15, 110-16, 110-17, and 110-18 of the Code of  
2 Criminal Procedure of 1963 by any person or entity before the  
3 effective date of this Act are hereby validated.

4 (c) To ensure the continuing effectiveness of Section  
5 1-2-12.1 of the Illinois Municipal Code and Sections 110-5.1,  
6 110-6.3, 110-6.5, 110-7, 110-8, 110-9, 110-13, 110-14, 110-15,  
7 110-16, 110-17, and 110-18 of the Code of Criminal Procedure  
8 of 1963, those Sections are set forth in full and reenacted by  
9 this Act. Striking and underscoring are used only to show  
10 changes being made to the base text. This reenactment is  
11 intended as a continuation of this Act. This reenactment is  
12 not intended to supersede any amendment to this Act that may be  
13 made by any other Public Act of the 102nd General Assembly.

14 Section 245. The Illinois Municipal Code is amended by  
15 reenacting and changing Section 1-2-12.1 as follows:

16 (65 ILCS 5/1-2-12.1)

17 Sec. 1-2-12.1. Municipal bond fees. A municipality may  
18 impose a fee up to \$20 for bail processing against any person  
19 arrested for violating aailable municipal ordinance or a  
20 State or federal law.

21 This Section is repealed on January 1, 2023.

22 (Source: P.A. 97-368, eff. 8-15-11; P.A. 101-652, eff. 7-1-21.  
23 Repealed by P.A. 102-28, eff. 1-1-23.)

1           Section 250. The Code of Criminal Procedure of 1963 is  
2 amended by reenacting and changing Sections 110-5.1, 110-6.3,  
3 110-6.5, 110-7, 110-8, 110-9, 110-13, 110-14, 110-15, 110-16,  
4 110-17, and 110-18 as follows:

5           (725 ILCS 5/110-5.1)

6           Sec. 110-5.1. Bail; certain persons charged with violent  
7 crimes against family or household members.

8           (a) Subject to subsection (c), a person who is charged  
9 with a violent crime shall appear before the court for the  
10 setting of bail if the alleged victim was a family or household  
11 member at the time of the alleged offense, and if any of the  
12 following applies:

13           (1) the person charged, at the time of the alleged  
14 offense, was subject to the terms of an order of  
15 protection issued under Section 112A-14 of this Code or  
16 Section 214 of the Illinois Domestic Violence Act of 1986  
17 or previously was convicted of a violation of an order of  
18 protection under Section 12-3.4 or 12-30 of the Criminal  
19 Code of 1961 or the Criminal Code of 2012 or a violent  
20 crime if the victim was a family or household member at the  
21 time of the offense or a violation of a substantially  
22 similar municipal ordinance or law of this or any other  
23 state or the United States if the victim was a family or  
24 household member at the time of the offense;

25           (2) the arresting officer indicates in a police report

1 or other document accompanying the complaint any of the  
2 following:

3 (A) that the arresting officer observed on the  
4 alleged victim objective manifestations of physical  
5 harm that the arresting officer reasonably believes  
6 are a result of the alleged offense;

7 (B) that the arresting officer reasonably believes  
8 that the person had on the person's person at the time  
9 of the alleged offense a deadly weapon;

10 (C) that the arresting officer reasonably believes  
11 that the person presents a credible threat of serious  
12 physical harm to the alleged victim or to any other  
13 person if released on bail before trial.

14 (b) To the extent that information about any of the  
15 following is available to the court, the court shall consider  
16 all of the following, in addition to any other circumstances  
17 considered by the court, before setting bail for a person who  
18 appears before the court pursuant to subsection (a):

19 (1) whether the person has a history of domestic  
20 violence or a history of other violent acts;

21 (2) the mental health of the person;

22 (3) whether the person has a history of violating the  
23 orders of any court or governmental entity;

24 (4) whether the person is potentially a threat to any  
25 other person;

26 (5) whether the person has access to deadly weapons or



1 a history of using deadly weapons;

2 (6) whether the person has a history of abusing  
3 alcohol or any controlled substance;

4 (7) the severity of the alleged violence that is the  
5 basis of the alleged offense, including, but not limited  
6 to, the duration of the alleged violent incident, and  
7 whether the alleged violent incident involved serious  
8 physical injury, sexual assault, strangulation, abuse  
9 during the alleged victim's pregnancy, abuse of pets, or  
10 forcible entry to gain access to the alleged victim;

11 (8) whether a separation of the person from the  
12 alleged victim or a termination of the relationship  
13 between the person and the alleged victim has recently  
14 occurred or is pending;

15 (9) whether the person has exhibited obsessive or  
16 controlling behaviors toward the alleged victim,  
17 including, but not limited to, stalking, surveillance, or  
18 isolation of the alleged victim;

19 (10) whether the person has expressed suicidal or  
20 homicidal ideations;

21 (11) any information contained in the complaint and  
22 any police reports, affidavits, or other documents  
23 accompanying the complaint.

24 (c) Upon the court's own motion or the motion of a party  
25 and upon any terms that the court may direct, a court may  
26 permit a person who is required to appear before it by

1 subsection (a) to appear by video conferencing equipment. If,  
2 in the opinion of the court, the appearance in person or by  
3 video conferencing equipment of a person who is charged with a  
4 misdemeanor and who is required to appear before the court by  
5 subsection (a) is not practicable, the court may waive the  
6 appearance and release the person on bail on one or both of the  
7 following types of bail in an amount set by the court:

8 (1) a bail bond secured by a deposit of 10% of the  
9 amount of the bond in cash;

10 (2) a surety bond, a bond secured by real estate or  
11 securities as allowed by law, or the deposit of cash, at  
12 the option of the person.

13 Subsection (a) does not create a right in a person to  
14 appear before the court for the setting of bail or prohibit a  
15 court from requiring any person charged with a violent crime  
16 who is not described in subsection (a) from appearing before  
17 the court for the setting of bail.

18 (d) As used in this Section:

19 (1) "Violent crime" has the meaning ascribed to it in  
20 Section 3 of the Rights of Crime Victims and Witnesses  
21 Act.

22 (2) "Family or household member" has the meaning  
23 ascribed to it in Section 112A-3 of this Code.

24 (e) This Section is repealed on January 1, 2023.

25 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13;  
26 P.A. 101-652, eff. 7-1-21. Repealed by P.A. 102-28, eff.

1 1-1-23.)

2 (725 ILCS 5/110-6.3) (from Ch. 38, par. 110-6.3)

3 Sec. 110-6.3. Denial of bail in stalking and aggravated  
4 stalking offenses.

5 (a) Upon verified petition by the State, the court shall  
6 hold a hearing to determine whether bail should be denied to a  
7 defendant who is charged with stalking or aggravated stalking,  
8 when it is alleged that the defendant's admission to bail  
9 poses a real and present threat to the physical safety of the  
10 alleged victim of the offense, and denial of release on bail or  
11 personal recognizance is necessary to prevent fulfillment of  
12 the threat upon which the charge is based.

13 (1) A petition may be filed without prior notice to  
14 the defendant at the first appearance before a judge, or  
15 within 21 calendar days, except as provided in Section  
16 110-6, after arrest and release of the defendant upon  
17 reasonable notice to defendant; provided that while the  
18 petition is pending before the court, the defendant if  
19 previously released shall not be detained.

20 (2) The hearing shall be held immediately upon the  
21 defendant's appearance before the court, unless for good  
22 cause shown the defendant or the State seeks a  
23 continuance. A continuance on motion of the defendant may  
24 not exceed 5 calendar days, and the defendant may be held  
25 in custody during the continuance. A continuance on the

1 motion of the State may not exceed 3 calendar days;  
2 however, the defendant may be held in custody during the  
3 continuance under this provision if the defendant has been  
4 previously found to have violated an order of protection  
5 or has been previously convicted of, or granted court  
6 supervision for, any of the offenses set forth in Sections  
7 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-2,  
8 12-3.05, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-7.3, 12-7.4,  
9 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code  
10 of 1961 or the Criminal Code of 2012, against the same  
11 person as the alleged victim of the stalking or aggravated  
12 stalking offense.

13 (b) The court may deny bail to the defendant when, after  
14 the hearing, it is determined that:

15 (1) the proof is evident or the presumption great that  
16 the defendant has committed the offense of stalking or  
17 aggravated stalking; and

18 (2) the defendant poses a real and present threat to  
19 the physical safety of the alleged victim of the offense;  
20 and

21 (3) the denial of release on bail or personal  
22 recognizance is necessary to prevent fulfillment of the  
23 threat upon which the charge is based; and

24 (4) the court finds that no condition or combination  
25 of conditions set forth in subsection (b) of Section  
26 110-10 of this Code, including mental health treatment at

1 a community mental health center, hospital, or facility of  
2 the Department of Human Services, can reasonably assure  
3 the physical safety of the alleged victim of the offense.

4 (c) Conduct of the hearings.

5 (1) The hearing on the defendant's culpability and  
6 threat to the alleged victim of the offense shall be  
7 conducted in accordance with the following provisions:

8 (A) Information used by the court in its findings  
9 or stated in or offered at the hearing may be by way of  
10 proffer based upon reliable information offered by the  
11 State or by defendant. Defendant has the right to be  
12 represented by counsel, and if he is indigent, to have  
13 counsel appointed for him. Defendant shall have the  
14 opportunity to testify, to present witnesses in his  
15 own behalf, and to cross-examine witnesses if any are  
16 called by the State. The defendant has the right to  
17 present witnesses in his favor. When the ends of  
18 justice so require, the court may exercise its  
19 discretion and compel the appearance of a complaining  
20 witness. The court shall state on the record reasons  
21 for granting a defense request to compel the presence  
22 of a complaining witness. Cross-examination of a  
23 complaining witness at the pretrial detention hearing  
24 for the purpose of impeaching the witness' credibility  
25 is insufficient reason to compel the presence of the  
26 witness. In deciding whether to compel the appearance

1 of a complaining witness, the court shall be  
2 considerate of the emotional and physical well-being  
3 of the witness. The pretrial detention hearing is not  
4 to be used for the purposes of discovery, and the post  
5 arraignment rules of discovery do not apply. The State  
6 shall tender to the defendant, prior to the hearing,  
7 copies of defendant's criminal history, if any, if  
8 available, and any written or recorded statements and  
9 the substance of any oral statements made by any  
10 person, if relied upon by the State. The rules  
11 concerning the admissibility of evidence in criminal  
12 trials do not apply to the presentation and  
13 consideration of information at the hearing. At the  
14 trial concerning the offense for which the hearing was  
15 conducted neither the finding of the court nor any  
16 transcript or other record of the hearing shall be  
17 admissible in the State's case in chief, but shall be  
18 admissible for impeachment, or as provided in Section  
19 115-10.1 of this Code, or in a perjury proceeding.

20 (B) A motion by the defendant to suppress evidence  
21 or to suppress a confession shall not be entertained.  
22 Evidence that proof may have been obtained as the  
23 result of an unlawful search and seizure or through  
24 improper interrogation is not relevant to this state  
25 of the prosecution.

26 (2) The facts relied upon by the court to support a

1 finding that:

2 (A) the defendant poses a real and present threat  
3 to the physical safety of the alleged victim of the  
4 offense; and

5 (B) the denial of release on bail or personal  
6 recognizance is necessary to prevent fulfillment of  
7 the threat upon which the charge is based;

8 shall be supported by clear and convincing evidence  
9 presented by the State.

10 (d) Factors to be considered in making a determination of  
11 the threat to the alleged victim of the offense. The court may,  
12 in determining whether the defendant poses, at the time of the  
13 hearing, a real and present threat to the physical safety of  
14 the alleged victim of the offense, consider but shall not be  
15 limited to evidence or testimony concerning:

16 (1) The nature and circumstances of the offense  
17 charged;

18 (2) The history and characteristics of the defendant  
19 including:

20 (A) Any evidence of the defendant's prior criminal  
21 history indicative of violent, abusive or assaultive  
22 behavior, or lack of that behavior. The evidence may  
23 include testimony or documents received in juvenile  
24 proceedings, criminal, quasi-criminal, civil  
25 commitment, domestic relations or other proceedings;

26 (B) Any evidence of the defendant's psychological,

1           psychiatric or other similar social history that tends  
2           to indicate a violent, abusive, or assaultive nature,  
3           or lack of any such history.

4           (3) The nature of the threat which is the basis of the  
5           charge against the defendant;

6           (4) Any statements made by, or attributed to the  
7           defendant, together with the circumstances surrounding  
8           them;

9           (5) The age and physical condition of any person  
10          assaulted by the defendant;

11          (6) Whether the defendant is known to possess or have  
12          access to any weapon or weapons;

13          (7) Whether, at the time of the current offense or any  
14          other offense or arrest, the defendant was on probation,  
15          parole, aftercare release, mandatory supervised release or  
16          other release from custody pending trial, sentencing,  
17          appeal or completion of sentence for an offense under  
18          federal or state law;

19          (8) Any other factors, including those listed in  
20          Section 110-5 of this Code, deemed by the court to have a  
21          reasonable bearing upon the defendant's propensity or  
22          reputation for violent, abusive or assaultive behavior, or  
23          lack of that behavior.

24          (e) The court shall, in any order denying bail to a person  
25          charged with stalking or aggravated stalking:

26                 (1) briefly summarize the evidence of the defendant's



1 culpability and its reasons for concluding that the  
2 defendant should be held without bail;

3 (2) direct that the defendant be committed to the  
4 custody of the sheriff for confinement in the county jail  
5 pending trial;

6 (3) direct that the defendant be given a reasonable  
7 opportunity for private consultation with counsel, and for  
8 communication with others of his choice by visitation,  
9 mail and telephone; and

10 (4) direct that the sheriff deliver the defendant as  
11 required for appearances in connection with court  
12 proceedings.

13 (f) If the court enters an order for the detention of the  
14 defendant under subsection (e) of this Section, the defendant  
15 shall be brought to trial on the offense for which he is  
16 detained within 90 days after the date on which the order for  
17 detention was entered. If the defendant is not brought to  
18 trial within the 90 day period required by this subsection  
19 (f), he shall not be held longer without bail. In computing the  
20 90 day period, the court shall omit any period of delay  
21 resulting from a continuance granted at the request of the  
22 defendant. The court shall immediately notify the alleged  
23 victim of the offense that the defendant has been admitted to  
24 bail under this subsection.

25 (g) Any person shall be entitled to appeal any order  
26 entered under this Section denying bail to the defendant.

1 (h) The State may appeal any order entered under this  
2 Section denying any motion for denial of bail.

3 (i) Nothing in this Section shall be construed as  
4 modifying or limiting in any way the defendant's presumption  
5 of innocence in further criminal proceedings.

6 (j) This Section is repealed on January 1, 2023.

7 (Source: P.A. 97-1109, eff. 1-1-13; 97-1150, eff. 1-25-13;  
8 98-558, eff. 1-1-14; P.A. 101-652, eff. 7-1-21. Repealed by  
9 P.A. 102-28, eff. 1-1-23.)

10 (725 ILCS 5/110-6.5)

11 Sec. 110-6.5. Drug testing program. The Chief Judge of the  
12 circuit may establish a drug testing program as provided by  
13 this Section in any county in the circuit if the county board  
14 has approved the establishment of the program and the county  
15 probation department or pretrial services agency has consented  
16 to administer it. The drug testing program shall be conducted  
17 under the following provisions:

18 (a) The court, in the case of a defendant charged with a  
19 felony offense or any offense involving the possession or  
20 delivery of cannabis or a controlled substance, shall:

21 (1) not consider the release of the defendant on his  
22 or her own recognizance, unless the defendant consents to  
23 periodic drug testing during the period of release on his  
24 or her own recognizance, in accordance with this Section;

25 (2) consider the consent of the defendant to periodic

1 drug testing during the period of release on bail in  
2 accordance with this Section as a favorable factor for the  
3 defendant in determining the amount of bail, the  
4 conditions of release or in considering the defendant's  
5 motion to reduce the amount of bail.

6 (b) The drug testing shall be conducted by the pretrial  
7 services agency or under the direction of the probation  
8 department when a pretrial services agency does not exist in  
9 accordance with this Section.

10 (c) A defendant who consents to periodic drug testing as  
11 set forth in this Section shall sign an agreement with the  
12 court that, during the period of release, the defendant shall  
13 refrain from using illegal drugs and that the defendant will  
14 comply with the conditions of the testing program. The  
15 agreement shall be on a form prescribed by the court and shall  
16 be executed at the time of the bail hearing. This agreement  
17 shall be made a specific condition of bail.

18 (d) The drug testing program shall be conducted as  
19 follows:

20 (1) The testing shall be done by urinalysis for the  
21 detection of phencyclidine, heroin, cocaine, methadone and  
22 amphetamines.

23 (2) The collection of samples shall be performed under  
24 reasonable and sanitary conditions.

25 (3) Samples shall be collected and tested with due  
26 regard for the privacy of the individual being tested and

1 in a manner reasonably calculated to prevent substitutions  
2 or interference with the collection or testing of reliable  
3 samples.

4 (4) Sample collection shall be documented, and the  
5 documentation procedures shall include:

6 (i) Labeling of samples so as to reasonably  
7 preclude the probability of erroneous identification  
8 of test results; and

9 (ii) An opportunity for the defendant to provide  
10 information on the identification of prescription or  
11 nonprescription drugs used in connection with a  
12 medical condition.

13 (5) Sample collection, storage, and transportation to  
14 the place of testing shall be performed so as to  
15 reasonably preclude the probability of sample  
16 contamination or adulteration.

17 (6) Sample testing shall conform to scientifically  
18 accepted analytical methods and procedures. Testing shall  
19 include verification or confirmation of any positive test  
20 result by a reliable analytical method before the result  
21 of any test may be used as a basis for any action by the  
22 court.

23 (e) The initial sample shall be collected before the  
24 defendant's release on bail. Thereafter, the defendant shall  
25 report to the pretrial services agency or probation department  
26 as required by the agency or department. The pretrial services

1 agency or probation department shall immediately notify the  
2 court of any defendant who fails to report for testing.

3 (f) After the initial test, a subsequent confirmed  
4 positive test result indicative of continued drug use shall  
5 result in the following:

6 (1) Upon the first confirmed positive test result, the  
7 pretrial services agency or probation department, shall  
8 place the defendant on a more frequent testing schedule  
9 and shall warn the defendant of the consequences of  
10 continued drug use.

11 (2) A second confirmed positive test result shall be  
12 grounds for a hearing before the judge who authorized the  
13 release of the defendant in accordance with the provisions  
14 of subsection (g) of this Section.

15 (g) The court shall, upon motion of the State or upon its  
16 own motion, conduct a hearing in connection with any defendant  
17 who fails to appear for testing, fails to cooperate with the  
18 persons conducting the testing program, attempts to submit a  
19 sample not his or her own or has had a confirmed positive test  
20 result indicative of continued drug use for the second or  
21 subsequent time after the initial test. The hearing shall be  
22 conducted in accordance with the procedures of Section 110-6.

23 Upon a finding by the court that the State has established  
24 by clear and convincing evidence that the defendant has  
25 violated the drug testing conditions of bail, the court may  
26 consider any of the following sanctions:

1           (1) increase the amount of the defendant's bail or  
2 conditions of release;

3           (2) impose a jail sentence of up to 5 days;

4           (3) revoke the defendant's bail; or

5           (4) enter such other orders which are within the power  
6 of the court as deemed appropriate.

7           (h) The results of any drug testing conducted under this  
8 Section shall not be admissible on the issue of the  
9 defendant's guilt in connection with any criminal charge.

10          (i) The court may require that the defendant pay for the  
11 cost of drug testing.

12          (j) This Section is repealed on January 1, 2023.

13          (Source: P.A. 88-677, eff. 12-15-94; P.A. 101-652, eff.  
14 7-1-21. Repealed by P.A. 102-28, eff. 1-1-23.)

15          (725 ILCS 5/110-7) (from Ch. 38, par. 110-7)

16          Sec. 110-7. Deposit of bail security.

17          (a) The person for whom bail has been set shall execute the  
18 bail bond and deposit with the clerk of the court before which  
19 the proceeding is pending a sum of money equal to 10% of the  
20 bail, but in no event shall such deposit be less than \$25. The  
21 clerk of the court shall provide a space on each form for a  
22 person other than the accused who has provided the money for  
23 the posting of bail to so indicate and a space signed by an  
24 accused who has executed the bail bond indicating whether a  
25 person other than the accused has provided the money for the

1 posting of bail. The form shall also include a written notice  
2 to such person who has provided the defendant with the money  
3 for the posting of bail indicating that the bail may be used to  
4 pay costs, attorney's fees, fines, or other purposes  
5 authorized by the court and if the defendant fails to comply  
6 with the conditions of the bail bond, the court shall enter an  
7 order declaring the bail to be forfeited. The written notice  
8 must be: (1) distinguishable from the surrounding text; (2) in  
9 bold type or underscored; and (3) in a type size at least 2  
10 points larger than the surrounding type. When a person for  
11 whom bail has been set is charged with an offense under the  
12 Illinois Controlled Substances Act or the Methamphetamine  
13 Control and Community Protection Act which is a Class X  
14 felony, or making a terrorist threat in violation of Section  
15 29D-20 of the Criminal Code of 1961 or the Criminal Code of  
16 2012 or an attempt to commit the offense of making a terrorist  
17 threat, the court may require the defendant to deposit a sum  
18 equal to 100% of the bail. Where any person is charged with a  
19 forcible felony while free on bail and is the subject of  
20 proceedings under Section 109-3 of this Code the judge  
21 conducting the preliminary examination may also conduct a  
22 hearing upon the application of the State pursuant to the  
23 provisions of Section 110-6 of this Code to increase or revoke  
24 the bail for that person's prior alleged offense.

25 (b) Upon depositing this sum and any bond fee authorized  
26 by law, the person shall be released from custody subject to

1 the conditions of the bail bond.

2 (c) Once bail has been given and a charge is pending or is  
3 thereafter filed in or transferred to a court of competent  
4 jurisdiction the latter court shall continue the original bail  
5 in that court subject to the provisions of Section 110-6 of  
6 this Code.

7 (d) After conviction the court may order that the original  
8 bail stand as bail pending appeal or deny, increase or reduce  
9 bail subject to the provisions of Section 110-6.2.

10 (e) After the entry of an order by the trial court allowing  
11 or denying bail pending appeal either party may apply to the  
12 reviewing court having jurisdiction or to a justice thereof  
13 sitting in vacation for an order increasing or decreasing the  
14 amount of bail or allowing or denying bail pending appeal  
15 subject to the provisions of Section 110-6.2.

16 (f) When the conditions of the bail bond have been  
17 performed and the accused has been discharged from all  
18 obligations in the cause the clerk of the court shall return to  
19 the accused or to the defendant's designee by an assignment  
20 executed at the time the bail amount is deposited, unless the  
21 court orders otherwise, 90% of the sum which had been  
22 deposited and shall retain as bail bond costs 10% of the amount  
23 deposited. However, in no event shall the amount retained by  
24 the clerk as bail bond costs be less than \$5. Notwithstanding  
25 the foregoing, in counties with a population of 3,000,000 or  
26 more, in no event shall the amount retained by the clerk as



1 bail bond costs exceed \$100. Bail bond deposited by or on  
2 behalf of a defendant in one case may be used, in the court's  
3 discretion, to satisfy financial obligations of that same  
4 defendant incurred in a different case due to a fine, court  
5 costs, restitution or fees of the defendant's attorney of  
6 record. In counties with a population of 3,000,000 or more,  
7 the court shall not order bail bond deposited by or on behalf  
8 of a defendant in one case to be used to satisfy financial  
9 obligations of that same defendant in a different case until  
10 the bail bond is first used to satisfy court costs and  
11 attorney's fees in the case in which the bail bond has been  
12 deposited and any other unpaid child support obligations are  
13 satisfied. In counties with a population of less than  
14 3,000,000, the court shall not order bail bond deposited by or  
15 on behalf of a defendant in one case to be used to satisfy  
16 financial obligations of that same defendant in a different  
17 case until the bail bond is first used to satisfy court costs  
18 in the case in which the bail bond has been deposited.

19 At the request of the defendant the court may order such  
20 90% of defendant's bail deposit, or whatever amount is  
21 repayable to defendant from such deposit, to be paid to  
22 defendant's attorney of record.

23 (g) If the accused does not comply with the conditions of  
24 the bail bond the court having jurisdiction shall enter an  
25 order declaring the bail to be forfeited. Notice of such order  
26 of forfeiture shall be mailed forthwith to the accused at his

1 last known address. If the accused does not appear and  
2 surrender to the court having jurisdiction within 30 days from  
3 the date of the forfeiture or within such period satisfy the  
4 court that appearance and surrender by the accused is  
5 impossible and without his fault the court shall enter  
6 judgment for the State if the charge for which the bond was  
7 given was a felony or misdemeanor, or if the charge was  
8 quasi-criminal or traffic, judgment for the political  
9 subdivision of the State which prosecuted the case, against  
10 the accused for the amount of the bail and costs of the court  
11 proceedings; however, in counties with a population of less  
12 than 3,000,000, instead of the court entering a judgment for  
13 the full amount of the bond the court may, in its discretion,  
14 enter judgment for the cash deposit on the bond, less costs,  
15 retain the deposit for further disposition or, if a cash bond  
16 was posted for failure to appear in a matter involving  
17 enforcement of child support or maintenance, the amount of the  
18 cash deposit on the bond, less outstanding costs, may be  
19 awarded to the person or entity to whom the child support or  
20 maintenance is due. The deposit made in accordance with  
21 paragraph (a) shall be applied to the payment of costs. If  
22 judgment is entered and any amount of such deposit remains  
23 after the payment of costs it shall be applied to payment of  
24 the judgment and transferred to the treasury of the municipal  
25 corporation wherein the bond was taken if the offense was a  
26 violation of any penal ordinance of a political subdivision of

1 this State, or to the treasury of the county wherein the bond  
2 was taken if the offense was a violation of any penal statute  
3 of this State. The balance of the judgment may be enforced and  
4 collected in the same manner as a judgment entered in a civil  
5 action.

6 (h) After a judgment for a fine and court costs or either  
7 is entered in the prosecution of a cause in which a deposit had  
8 been made in accordance with paragraph (a) the balance of such  
9 deposit, after deduction of bail bond costs, shall be applied  
10 to the payment of the judgment.

11 (i) When a court appearance is required for an alleged  
12 violation of the Criminal Code of 1961, the Criminal Code of  
13 2012, the Illinois Vehicle Code, the Wildlife Code, the Fish  
14 and Aquatic Life Code, the Child Passenger Protection Act, or  
15 a comparable offense of a unit of local government as  
16 specified in Supreme Court Rule 551, and if the accused does  
17 not appear in court on the date set for appearance or any date  
18 to which the case may be continued and the court issues an  
19 arrest warrant for the accused, based upon his or her failure  
20 to appear when having so previously been ordered to appear by  
21 the court, the accused upon his or her admission to bail shall  
22 be assessed by the court a fee of \$75. Payment of the fee shall  
23 be a condition of release unless otherwise ordered by the  
24 court. The fee shall be in addition to any bail that the  
25 accused is required to deposit for the offense for which the  
26 accused has been charged and may not be used for the payment of

1 court costs or fines assessed for the offense. The clerk of the  
2 court shall remit \$70 of the fee assessed to the arresting  
3 agency who brings the offender in on the arrest warrant. If the  
4 Department of State Police is the arresting agency, \$70 of the  
5 fee assessed shall be remitted by the clerk of the court to the  
6 State Treasurer within one month after receipt for deposit  
7 into the State Police Operations Assistance Fund. The clerk of  
8 the court shall remit \$5 of the fee assessed to the Circuit  
9 Court Clerk Operation and Administrative Fund as provided in  
10 Section 27.3d of the Clerks of Courts Act.

11 (j) This Section is repealed on January 1, 2023.

12 (Source: P.A. 99-412, eff. 1-1-16; P.A. 101-652, eff. 7-1-21.  
13 Repealed by P.A. 102-28, eff. 1-1-23.)

14 (725 ILCS 5/110-8) (from Ch. 38, par. 110-8)

15 Sec. 110-8. Cash, stocks, bonds and real estate as  
16 security for bail.

17 (a) In lieu of the bail deposit provided for in Section  
18 110-7 of this Code any person for whom bail has been set may  
19 execute the bail bond with or without sureties which bond may  
20 be secured:

21 (1) By a deposit, with the clerk of the court, of an amount  
22 equal to the required bail, of cash, or stocks and bonds in  
23 which trustees are authorized to invest trust funds under the  
24 laws of this State; or

25 (2) By real estate situated in this State with

1 unencumbered equity not exempt owned by the accused or  
2 sureties worth double the amount of bail set in the bond.

3 (b) If the bail bond is secured by stocks and bonds the  
4 accused or sureties shall file with the bond a sworn schedule  
5 which shall be approved by the court and shall contain:

6 (1) A list of the stocks and bonds deposited  
7 describing each in sufficient detail that it may be  
8 identified;

9 (2) The market value of each stock and bond;

10 (3) The total market value of the stocks and bonds  
11 listed;

12 (4) A statement that the affiant is the sole owner of  
13 the stocks and bonds listed and they are not exempt from  
14 the enforcement of a judgment thereon;

15 (5) A statement that such stocks and bonds have not  
16 previously been used or accepted as bail in this State  
17 during the 12 months preceding the date of the bail bond;  
18 and

19 (6) A statement that such stocks and bonds are  
20 security for the appearance of the accused in accordance  
21 with the conditions of the bail bond.

22 (c) If the bail bond is secured by real estate the accused  
23 or sureties shall file with the bond a sworn schedule which  
24 shall contain:

25 (1) A legal description of the real estate;

26 (2) A description of any and all encumbrances on the

1 real estate including the amount of each and the holder  
2 thereof;

3 (3) The market value of the unencumbered equity owned  
4 by the affiant;

5 (4) A statement that the affiant is the sole owner of  
6 such unencumbered equity and that it is not exempt from  
7 the enforcement of a judgment thereon;

8 (5) A statement that the real estate has not  
9 previously been used or accepted as bail in this State  
10 during the 12 months preceding the date of the bail bond;  
11 and

12 (6) A statement that the real estate is security for  
13 the appearance of the accused in accordance with the  
14 conditions of the bail bond.

15 (d) The sworn schedule shall constitute a material part of  
16 the bail bond. The affiant commits perjury if in the sworn  
17 schedule he makes a false statement which he does not believe  
18 to be true. He shall be prosecuted and punished accordingly,  
19 or, he may be punished for contempt.

20 (e) A certified copy of the bail bond and schedule of real  
21 estate shall be filed immediately in the office of the  
22 registrar of titles or recorder of the county in which the real  
23 estate is situated and the State shall have a lien on such real  
24 estate from the time such copies are filed in the office of the  
25 registrar of titles or recorder. The registrar of titles or  
26 recorder shall enter, index and record (or register as the

1 case may be) such bail bonds and schedules without requiring  
2 any advance fee, which fee shall be taxed as costs in the  
3 proceeding and paid out of such costs when collected.

4 (f) When the conditions of the bail bond have been  
5 performed and the accused has been discharged from his  
6 obligations in the cause, the clerk of the court shall return  
7 to him or his sureties the deposit of any cash, stocks or  
8 bonds. If the bail bond has been secured by real estate the  
9 clerk of the court shall forthwith notify in writing the  
10 registrar of titles or recorder and the lien of the bail bond  
11 on the real estate shall be discharged.

12 (g) If the accused does not comply with the conditions of  
13 the bail bond the court having jurisdiction shall enter an  
14 order declaring the bail to be forfeited. Notice of such order  
15 of forfeiture shall be mailed forthwith by the clerk of the  
16 court to the accused and his sureties at their last known  
17 address. If the accused does not appear and surrender to the  
18 court having jurisdiction within 30 days from the date of the  
19 forfeiture or within such period satisfy the court that  
20 appearance and surrender by the accused is impossible and  
21 without his fault the court shall enter judgment for the State  
22 against the accused and his sureties for the amount of the bail  
23 and costs of the proceedings; however, in counties with a  
24 population of less than 3,000,000, if the defendant has posted  
25 a cash bond, instead of the court entering a judgment for the  
26 full amount of the bond the court may, in its discretion, enter

1 judgment for the cash deposit on the bond, less costs, retain  
2 the deposit for further disposition or, if a cash bond was  
3 posted for failure to appear in a matter involving enforcement  
4 of child support or maintenance, the amount of the cash  
5 deposit on the bond, less outstanding costs, may be awarded to  
6 the person or entity to whom the child support or maintenance  
7 is due.

8 (h) When judgment is entered in favor of the State on any  
9 bail bond given for a felony or misdemeanor, or judgement for a  
10 political subdivision of the state on any bail bond given for a  
11 quasi-criminal or traffic offense, the State's Attorney or  
12 political subdivision's attorney shall forthwith obtain a  
13 certified copy of the judgment and deliver same to the sheriff  
14 to be enforced by levy on the stocks or bonds deposited with  
15 the clerk of the court and the real estate described in the  
16 bail bond schedule. Any cash forfeited under subsection (g) of  
17 this Section shall be used to satisfy the judgment and costs  
18 and, without necessity of levy, ordered paid into the treasury  
19 of the municipal corporation wherein the bail bond was taken  
20 if the offense was a violation of any penal ordinance of a  
21 political subdivision of this State, or into the treasury of  
22 the county wherein the bail bond was taken if the offense was a  
23 violation of any penal statute of this State, or to the person  
24 or entity to whom child support or maintenance is owed if the  
25 bond was taken for failure to appear in a matter involving  
26 child support or maintenance. The stocks, bonds and real



1 estate shall be sold in the same manner as in sales for the  
2 enforcement of a judgment in civil actions and the proceeds of  
3 such sale shall be used to satisfy all court costs, prior  
4 encumbrances, if any, and from the balance a sufficient amount  
5 to satisfy the judgment shall be paid into the treasury of the  
6 municipal corporation wherein the bail bond was taken if the  
7 offense was a violation of any penal ordinance of a political  
8 subdivision of this State, or into the treasury of the county  
9 wherein the bail bond was taken if the offense was a violation  
10 of any penal statute of this State. The balance shall be  
11 returned to the owner. The real estate so sold may be redeemed  
12 in the same manner as real estate may be redeemed after  
13 judicial sales or sales for the enforcement of judgments in  
14 civil actions.

15 (i) No stocks, bonds or real estate may be used or accepted  
16 as bail bond security in this State more than once in any 12  
17 month period.

18 (j) This Section is repealed on January 1, 2023.

19 (Source: P.A. 89-469, eff. 1-1-97; P.A. 101-652, eff. 7-1-21.  
20 Repealed by P.A. 102-28, eff. 1-1-23.)

21 (725 ILCS 5/110-9) (from Ch. 38, par. 110-9)

22 Sec. 110-9. Taking of bail by peace officer. When bail has  
23 been set by a judicial officer for a particular offense or  
24 offender any sheriff or other peace officer may take bail in  
25 accordance with the provisions of Section 110-7 or 110-8 of

1 this Code and release the offender to appear in accordance  
2 with the conditions of the bail bond, the Notice to Appear or  
3 the Summons. The officer shall give a receipt to the offender  
4 for the bail so taken and within a reasonable time deposit such  
5 bail with the clerk of the court having jurisdiction of the  
6 offense. A sheriff or other peace officer taking bail in  
7 accordance with the provisions of Section 110-7 or 110-8 of  
8 this Code shall accept payments made in the form of currency,  
9 and may accept other forms of payment as the sheriff shall by  
10 rule authorize. For purposes of this Section, "currency" has  
11 the meaning provided in subsection (a) of Section 3 of the  
12 Currency Reporting Act.

13 This Section is repealed on January 1, 2023.

14 (Source: P.A. 99-618, eff. 1-1-17; P.A. 101-652, eff. 7-1-21.  
15 Repealed by P.A. 102-28, eff. 1-1-23.)

16 (725 ILCS 5/110-13) (from Ch. 38, par. 110-13)

17 Sec. 110-13. Persons prohibited from furnishing bail  
18 security. No attorney at law practicing in this State and no  
19 official authorized to admit another to bail or to accept bail  
20 shall furnish any part of any security for bail in any criminal  
21 action or any proceeding nor shall any such person act as  
22 surety for any accused admitted to bail.

23 This Section is repealed on January 1, 2023.

24 (Source: Laws 1963, p. 2836; P.A. 101-652, eff. 7-1-21.  
25 Repealed by P.A. 102-28, eff. 1-1-23.)

1 (725 ILCS 5/110-14) (from Ch. 38, par. 110-14)

2 Sec. 110-14. Credit for incarceration on bailable offense;  
3 credit against monetary bail for certain offenses.

4 (a) Any person incarcerated on a bailable offense who does  
5 not supply bail and against whom a fine is levied on conviction  
6 of the offense shall be allowed a credit of \$30 for each day so  
7 incarcerated upon application of the defendant. However, in no  
8 case shall the amount so allowed or credited exceed the amount  
9 of the fine.

10 (b) Subsection (a) does not apply to a person incarcerated  
11 for sexual assault as defined in paragraph (1) of subsection  
12 (a) of Section 5-9-1.7 of the Unified Code of Corrections.

13 (c) A person subject to bail on a Category B offense shall  
14 have \$30 deducted from his or her 10% cash bond amount every  
15 day the person is incarcerated. The sheriff shall calculate  
16 and apply this \$30 per day reduction and send notice to the  
17 circuit clerk if a defendant's 10% cash bond amount is reduced  
18 to \$0, at which point the defendant shall be released upon his  
19 or her own recognizance.

20 (d) The court may deny the incarceration credit in  
21 subsection (c) of this Section if the person has failed to  
22 appear as required before the court and is incarcerated based  
23 on a warrant for failure to appear on the same original  
24 criminal offense.

25 (e) This Section is repealed on January 1, 2023.

1 (Source: P.A. 100-1, eff. 1-1-18; 100-929, eff. 1-1-19;  
2 101-408, eff. 1-1-20; P.A. 101-652, eff. 7-1-21. Repealed by  
3 P.A. 102-28, eff. 1-1-23.)

4 (725 ILCS 5/110-15) (from Ch. 38, par. 110-15)

5 Sec. 110-15. Applicability of provisions for giving and  
6 taking bail. The provisions of Sections 110-7 and 110-8 of  
7 this Code are exclusive of other provisions of law for the  
8 giving, taking, or enforcement of bail. In all cases where a  
9 person is admitted to bail the provisions of Sections 110-7  
10 and 110-8 of this Code shall be applicable.

11 However, the Supreme Court may, by rule or order,  
12 prescribe a uniform schedule of amounts of bail in all but  
13 felony offenses. The uniform schedule shall not require a  
14 person cited for violating the Illinois Vehicle Code or a  
15 similar provision of a local ordinance for which a violation  
16 is a petty offense as defined by Section 5-1-17 of the Unified  
17 Code of Corrections, excluding business offenses as defined by  
18 Section 5-1-2 of the Unified Code of Corrections or a  
19 violation of Section 15-111 or subsection (d) of Section 3-401  
20 of the Illinois Vehicle Code, to post bond to secure bail for  
21 his or her release. Such uniform schedule may provide that the  
22 cash deposit provisions of Section 110-7 shall not apply to  
23 bail amounts established for alleged violations punishable by  
24 fine alone, and the schedule may further provide that in  
25 specified traffic cases a valid Illinois chauffeur's or

1 operator's license must be deposited, in addition to 10% of  
2 the amount of the bail specified in the schedule.

3 This Section is repealed on January 1, 2023.

4 (Source: P.A. 98-870, eff. 1-1-15; 98-1134, eff. 1-1-15; P.A.  
5 101-652, eff. 7-1-21. Repealed by P.A. 102-28, eff. 1-1-23.)

6 (725 ILCS 5/110-16) (from Ch. 38, par. 110-16)

7 Sec. 110-16. Bail bond-forfeiture in same case or absents  
8 self during trial-not bailable. If a person admitted to bail  
9 on a felony charge forfeits his bond and fails to appear in  
10 court during the 30 days immediately after such forfeiture, on  
11 being taken into custody thereafter he shall not be bailable  
12 in the case in question, unless the court finds that his  
13 absence was not for the purpose of obstructing justice or  
14 avoiding prosecution.

15 This Section is repealed on January 1, 2023.

16 (Source: P.A. 77-1447; P.A. 101-652, eff. 7-1-21. Repealed by  
17 P.A. 102-28, eff. 1-1-23.)

18 (725 ILCS 5/110-17) (from Ch. 38, par. 110-17)

19 Sec. 110-17. Unclaimed bail deposits. Any sum of money  
20 deposited by any person to secure his or her release from  
21 custody which remains unclaimed by the person entitled to its  
22 return for 3 years after the conditions of the bail bond have  
23 been performed and the accused has been discharged from all  
24 obligations in the cause shall be presumed to be abandoned and

1 subject to disposition under the Revised Uniform Unclaimed  
2 Property Act.

3 This Section is repealed on January 1, 2023.

4 (Source: P.A. 100-22, eff. 1-1-18; 100-929, eff. 1-1-19;  
5 101-81, eff. 7-12-19; P.A. 101-652, eff. 7-1-21. Repealed by  
6 P.A. 102-28, eff. 1-1-23.)

7 (725 ILCS 5/110-18) (from Ch. 38, par. 110-18)

8 Sec. 110-18. Reimbursement. The sheriff of each county  
9 shall certify to the treasurer of each county the number of  
10 days that persons had been detained in the custody of the  
11 sheriff without a bond being set as a result of an order  
12 entered pursuant to Section 110-6.1 of this Code. The county  
13 treasurer shall, no later than January 1, annually certify to  
14 the Supreme Court the number of days that persons had been  
15 detained without bond during the twelve-month period ending  
16 November 30. The Supreme Court shall reimburse, from funds  
17 appropriated to it by the General Assembly for such purposes,  
18 the treasurer of each county an amount of money for deposit in  
19 the county general revenue fund at a rate of \$50 per day for  
20 each day that persons were detained in custody without bail as  
21 a result of an order entered pursuant to Section 110-6.1 of  
22 this Code.

23 This Section is repealed on January 1, 2023.

24 (Source: P.A. 85-892; P.A. 101-652, eff. 7-1-21. Repealed by  
25 P.A. 102-28, eff. 1-1-23.)

1 Section 255. The Statute on Statutes is amended by adding  
2 Section 9 as follows:

3 (5 ILCS 70/9 new)

4 Sec. 9. Stated repeal date; presentation to Governor. If a  
5 bill that changes or eliminates the stated repeal date of an  
6 Act or an Article or Section of an Act is presented to the  
7 Governor by the General Assembly before the stated repeal date  
8 and, after the stated repeal date, either the Governor  
9 approves the bill, the General Assembly overrides the  
10 Governor's veto of the bill, or the bill becomes law because it  
11 is not returned by the Governor within 60 calendar days after  
12 it is presented to the Governor, then the Act, Article, or  
13 Section shall be deemed to remain in full force and effect from  
14 the stated repeal date through the date the Governor approves  
15 the bill, the General Assembly overrides the Governor's veto  
16 of the bill, or the bill becomes law because it is not returned  
17 by the Governor within 60 calendar days after it is presented  
18 to the Governor.

19 Any action taken in reliance on the continuous effect of  
20 such an Act, Article, or Section by any person or entity is  
21 hereby validated.

22 Section 995. No acceleration or delay. Where this Act  
23 makes changes in a statute that is represented in this Act by

1 text that is not yet or no longer in effect (for example, a  
2 Section represented by multiple versions), the use of that  
3 text does not accelerate or delay the taking effect of (i) the  
4 changes made by this Act or (ii) provisions derived from any  
5 other Public Act.

6 Section 996. No revival or extension. This Act does not  
7 revive or extend any Section or Act otherwise repealed.

8 Section 999. Effective date. This Act takes effect upon  
9 becoming law.