



Sen. Michael E. Hastings

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10200HB3743sam002

LRB102 14600 SPS 27445 a

1 AMENDMENT TO HOUSE BILL 3743

2 AMENDMENT NO. _____. Amend House Bill 3743, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

8 (20 ILCS 2605/2605-53)

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

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

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

1 Answering Point telecommunicators ~~tele-communicators~~; and

2 (2) adopt rules and minimum standards for an
3 evidence-based, trauma-informed, victim-centered training
4 curriculum for handling of sexual assault or sexual abuse
5 calls for Public Safety Answering Point telecommunicators
6 ~~tele-communicators~~ ("PSAP").

7 (a-5) Within one year after the effective date of this
8 amendatory Act of the 102nd General Assembly, the Office of
9 the Statewide 9-1-1 Administrator, in consultation with the
10 Statewide 9-1-1 Advisory Board, shall:

11 (1) develop comprehensive guidelines for training on
12 emergency dispatch procedures, including but not limited
13 to emergency medical dispatch, and the delivery of 9-1-1
14 services and professionalism for public safety
15 telecommunicators and public safety telecommunicator
16 supervisors; and

17 (2) adopt rules and minimum standards for continuing
18 education on emergency dispatch procedures, including but
19 not limited to emergency medical dispatch, and the
20 delivery of 9-1-1 services and professionalism for public
21 safety telecommunicators and public safety
22 telecommunicator Supervisors; and

23 (a-10) The Office of the Statewide 9-1-1 Administrator may
24 as necessary establish by rule appropriate testing and
25 certification processes consistent with the training required
26 by this Section.

1 (b) Training requirements:

2 (1) Newly hired PSAP telecommunicators
3 ~~tele-communicators~~ must complete the sexual assault and
4 sexual abuse training curriculum established in subsection
5 (a) of this Section prior to handling emergency calls.

6 (2) All existing PSAP telecommunicators
7 ~~tele-communicators~~ shall complete the sexual assault and
8 sexual abuse training curriculum established in subsection
9 (a) of this Section within 2 years of the effective date of
10 this amendatory Act of the 99th General Assembly.

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

17 (4) All public safety telecommunicators and public
18 safety telecommunicator supervisors who were not required
19 to complete new hire training prior to handling emergency
20 calls, must either demonstrate proficiency or complete the
21 training established in subsection (a-5) of this Section
22 within one year of the Statewide 9-1-1 Administrator
23 establishing the required guidelines, rules, and
24 standards.

25 (5) Upon completion of the training required in either
26 paragraph (3) or (4) of subsection (b) whichever is

1 applicable, all public safety telecommunicators and public
2 safety telecommunicator supervisors shall complete the
3 continuing education training regarding the delivery of
4 9-1-1 services and professionalism biennially.

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

7 (Source: P.A. 99-801, eff. 1-1-17.)

8 Section 10. The Emergency Telephone System Act is amended
9 by changing Sections 2, 3, 5, 6, 7, 8, 10, 10.3, 14, 15.2,
10 15.2a, 15.3, 15.3a, 15.4, 15.4a, 15.6, 15.6a, 15.6b, 17.5, 19,
11 20, 30, 40, 45, and 99 and by adding Sections 6.2, 7.1, and
12 11.5 as follows:

13 (50 ILCS 750/2) (from Ch. 134, par. 32)

14 (Section scheduled to be repealed on December 31, 2021)

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

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

24 "9-1-1 system" means the geographic area that has been

1 granted an order of authority by the Commission or the
2 Statewide 9-1-1 Administrator to use "9-1-1" as the primary
3 emergency telephone number, including but not limited to the
4 network, software applications, databases, CPE components and
5 operational and management procedures required to provide
6 9-1-1 service.

7 "9-1-1 Authority" means ~~includes~~ an Emergency Telephone
8 System Board, Joint Emergency Telephone System Board that
9 provides for the management and operation of a 9-1-1 system,
10 ~~and a qualified governmental entity.~~ "9-1-1 Authority"
11 includes the Department of State Police only to the extent it
12 provides 9-1-1 services under this Act.

13 "9-1-1 System Manager" means the manager, director,
14 administrator, or coordinator who at the direction of his or
15 her Emergency Telephone System Board is responsible for the
16 implementation and execution of the order of authority issued
17 by the Commission or the Statewide 9-1-1 Administrator through
18 the programs, policies, procedures, and daily operations of
19 the 9-1-1 system consistent with the provisions of this Act.

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

21 "Advanced service" means any telecommunications service
22 with or without dynamic bandwidth allocation, including, but
23 not limited to, ISDN Primary Rate Interface (PRI), that,
24 through the use of a DS-1, T-1, or other un-channelized or
25 multi-channel transmission facility, is capable of
26 transporting either the subscriber's inter-premises voice

1 telecommunications services to the public switched network or
2 the subscriber's 9-1-1 calls to the public agency.

3 "Aggregator" means an entity that ingresses 9-1-1 calls of
4 multiple traffic types or 9-1-1 calls from multiple
5 originating service providers and combines them on a trunk
6 group or groups (or equivalent egress connection arrangement
7 to a 9-1-1 system provider's E9-1-1/NG9-1-1 network or
8 system), and that uses the routing information provided in the
9 received call setup signaling to select the appropriate trunk
10 group and proceeds to signal call setup toward the 9-1-1
11 system provider. "Aggregator" includes an originating service
12 provider that provides aggregation functions for its own 9-1-1
13 calls. "Aggregator" also includes an aggregation network or an
14 aggregation entity that provides aggregator services for other
15 types of system providers, such as cloud-based services or
16 enterprise networks as its client.

17 "ALI" or "automatic location identification" means, ~~in an~~
18 ~~E9-1-1 system,~~ the automatic display at the public safety
19 answering point of the ~~caller's telephone number,~~ the address
20 or location of the caller's telephone, and supplementary
21 emergency services information of the location from which a
22 call originates.

23 "ANI" or "automatic number identification" means the
24 automatic display of the 10 digit telephone number associated
25 with the caller's telephone number ~~9-1-1 calling party's~~
26 ~~number on the PSAP monitor.~~

1 "Automatic alarm" and "automatic alerting device" mean any
2 device that will access the 9-1-1 system for emergency
3 services upon activation and does not provide for two-way
4 communication.

5 "Answering point" means a PSAP, SAP, Backup PSAP, Unmanned
6 Backup Answering Point, or VAP.

7 "Authorized entity" means an answering point or
8 participating agency other than a decommissioned PSAP.

9 "Backup PSAP" means an a public safety answering point
10 that meets the appropriate standards of service and serves as
11 an alternate to the PSAP operating independently from the PSAP
12 ~~for enhanced systems and is~~ at a different location, that has
13 the capability to direct dispatch for the PSAP or otherwise
14 transfer emergency calls directly to an authorized entity. and
15 ~~operates independently from the PSAP.~~ A backup PSAP may accept
16 overflow calls from the PSAP or be activated if the primary
17 PSAP is disabled.

18 "Board" means an Emergency Telephone System Board or a
19 Joint Emergency Telephone System Board created pursuant to
20 Section 15.4.

21 "Carrier" includes a telecommunications carrier and a
22 wireless carrier.

23 "Commission" means the Illinois Commerce Commission.

24 "Computer aided dispatch" or "CAD" means a computer-based
25 system that aids public safety telecommunicators ~~PSAP~~
26 ~~telecommunicators~~ by automating selected dispatching and

1 recordkeeping activities.

2 "Direct dispatch ~~dispatch method~~" means a 9-1-1 service
3 wherein upon receipt of an emergency call, that provides for
4 the direct dispatch by a public safety telecommunicator
5 transmits - without delay, transfer, relay, or referral - all
6 relevant available information to PSAP telecommunicator of the
7 appropriate public safety personnel or emergency responders
8 unit upon receipt of an emergency call and the decision as to
9 the proper action to be taken.

10 "Decommissioned" means the revocation of a PSAPs authority
11 to handle 9-1-1 calls as an answering point within the 9-1-1
12 network.

13 "Department" means the Department of State Police.

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

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

22 "Emergency call" means any type of request for emergency
23 assistance through a 9-1-1 network either to the digits 9-1-1
24 or the emergency 24/7 10-digit telephone number for all
25 answering points. An emergency call is not limited to a voice
26 telephone call. It could be a two-way video call, an

1 interactive text, Teletypewriter (TTY), an SMS, an Instant
2 Message, or any new mechanism for communications available in
3 the future. An emergency call occurs when the request for
4 emergency assistance is received by a public safety
5 telecommunicator.

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

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

18 "Grade of service" means P.01 for enhanced 9-1-1 services
19 or the NENA i3 Solution adopted standard for NG9-1-1.

20 "Hearing-impaired individual" means a person with a
21 permanent hearing loss who can regularly and routinely
22 communicate by telephone only through the aid of devices which
23 can send and receive written messages over the telephone
24 network.

25 "Hosted supplemental 9-1-1 service" means a database
26 service that:

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

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

5 (3) collects a variety of formatted data relevant to
6 9-1-1 and first responder needs, which may include, but is
7 not limited to, photographs of the telephone subscribers,
8 physical descriptions, medical information, household
9 data, and emergency contacts;

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

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

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

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

24 (8) may be used to collect information pursuant to an
25 Illinois Premise Alert Program as defined in the Illinois
26 Premise Alert Program (PAP) Act.

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

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

8 "Local public agency" means any unit of local government
9 or special purpose district located in whole or in part within
10 this State that provides or has authority to provide
11 firefighting, police, ambulance, medical, or other emergency
12 services.

13 "Mechanical dialer" means any device that accesses ~~either~~
14 ~~manually or remotely triggers a dialing device to access the~~
15 9-1-1 system without human intervention and does not provide
16 for two-way communication.

17 "Master Street Address Guide" or "MSAG" is a database of
18 street names and house ranges within their associated
19 communities defining emergency service zones (ESZs) and their
20 associated emergency service numbers (ESNs) to enable proper
21 routing of 9-1-1 calls.

22 "Mobile telephone number" or "MTN" means the telephone
23 number assigned to a wireless telephone at the time of initial
24 activation.

25 "Network connections" means the number of voice grade
26 communications channels directly between a subscriber and a

1 telecommunications carrier's public switched network, without
2 the intervention of any other telecommunications carrier's
3 switched network, which would be required to carry the
4 subscriber's inter-premises traffic and which connection
5 either (1) is capable of providing access through the public
6 switched network to a 9-1-1 Emergency Telephone System, if one
7 exists, or (2) if no system exists at the time a surcharge is
8 imposed under Section 15.3, that would be capable of providing
9 access through the public switched network to the local 9-1-1
10 Emergency Telephone System if one existed. Where multiple
11 voice grade communications channels are connected to a
12 telecommunications carrier's public switched network through a
13 private branch exchange (PBX) service, there shall be
14 determined to be one network connection for each trunk line
15 capable of transporting either the subscriber's inter-premises
16 traffic to the public switched network or the subscriber's
17 9-1-1 calls to the public agency. Where multiple voice grade
18 communications channels are connected to a telecommunications
19 carrier's public switched network through Centrex ~~centrex~~ type
20 service, the number of network connections shall be equal to
21 the number of PBX trunk equivalents for the subscriber's
22 service or other multiple voice grade communication channels
23 facility, as determined by reference to any generally
24 applicable exchange access service tariff filed by the
25 subscriber's telecommunications carrier with the Commission.

26 "Network costs" means those recurring costs that directly

1 relate to the operation of the 9-1-1 network as determined by
2 the Statewide 9-1-1 Administrator with the advice of the
3 Statewide 9-1-1 Advisory Board, which may include, but need
4 not be limited to, some or all of the following: costs for
5 interoffice trunks, selective routing charges, transfer lines
6 and toll charges for 9-1-1 services, Automatic Location
7 Information (ALI) database charges, independent local exchange
8 carrier charges and non-system provider charges, carrier
9 charges for third party database for on-site customer premises
10 equipment, back-up PSAP trunks for non-system providers,
11 periodic database updates as provided by carrier (also known
12 as "ALI data dump"), regional ALI storage charges, circuits
13 for call delivery (fiber or circuit connection), NG9-1-1
14 costs, and all associated fees, taxes, and surcharges on each
15 invoice. "Network costs" shall not include radio circuits or
16 toll charges that are other than for 9-1-1 services.

17 "Next generation 9-1-1" or "NG9-1-1" means a secure an
18 Internet Protocol-based (IP-based) open-standards system
19 comprised of hardware, software, data, and operational
20 policies and procedures that: ~~managed ESInets, functional~~
21 ~~elements and applications, and databases that replicate~~
22 ~~traditional E9-1-1 features and functions and provide~~
23 ~~additional capabilities. "NG9-1-1" systems are designed to~~
24 ~~provide access to emergency services from all connected~~
25 ~~communications sources, and provide multimedia data~~
26 ~~capabilities for PSAPs and other emergency services~~

1 ~~organizations.~~

2 (A) provides standardized interfaces from
3 emergency call and message services to support
4 emergency communications;

5 (B) processes all types of emergency calls,
6 including voice, text, data, and multimedia
7 information;

8 (C) acquires and integrates additional emergency
9 call data useful to call routing and handling;

10 (D) delivers the emergency calls, messages, and
11 data to the appropriate public safety answering point
12 and other appropriate emergency entities based on the
13 location of the caller;

14 (E) supports data, video, and other communications
15 needs for coordinated incident response and
16 management; and

17 (F) interoperates with services and networks used
18 by first responders to facilitate emergency response.

19 "NG9-1-1 costs" means those recurring costs that directly
20 relate to the Next Generation 9-1-1 service as determined by
21 the Statewide 9-1-1 Administrator with the advice of the
22 Statewide 9-1-1 Advisory Board, which may include ~~including,~~
23 but need not be limited to, costs for NENA i3 Core Components
24 (Border Control Function (BCF), Emergency Call Routing
25 Function (ECRF), Location Validation Function (LVF), Emergency
26 Services Routing Proxy (ESRP), Policy Store/Policy Routing

1 Functions (PSPRF) and Location Information Servers (LIS)),
2 Statewide ESInet, software external to the PSAP (data
3 collection, identity management, aggregation and GIS
4 functionality), and gateways (legacy 9-1-1 tandems or gateways
5 or both). Emergency System Routing Proxy (ESRP), Emergency
6 Call Routing Function/Location Validation Function (ECRF/LVF),
7 Spatial Information Function (SIF), the Border Control
8 Function (BCF), and the Emergency Services Internet Protocol
9 networks (ESInets), legacy network gateways, and all
10 associated fees, taxes, and surcharges on each invoice.

11 "Originating service provider" or "OSP" means the entity
12 that provides services to end users that may be used to
13 originate voice or nonvoice 9-1-1 requests for assistance and
14 who would interconnect, in any of various fashions, to the
15 9-1-1 system provider for purposes of delivering 9-1-1 traffic
16 to the public safety answering points.

17 "Private branch exchange" or "PBX" means a private
18 telephone system and associated equipment located on the
19 user's property that provides communications between internal
20 stations and external networks.

21 "Private business switch service" means network and
22 premises based systems including a VoIP, Centrex type service,
23 or PBX service, even though key telephone systems or
24 equivalent telephone systems registered with the Federal
25 Communications Commission under 47 CFR ~~C.F.R.~~ Part 68 are
26 directly connected to Centrex type and PBX systems. "Private

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

9 "Private residential switch service" means network and
10 premise based systems including a VoIP, Centrex type service,
11 or PBX service or key telephone systems or equivalent
12 telephone systems registered with the Federal Communications
13 Commission under 47 C.F.R. Part 68 that are directly connected
14 to a VoIP, Centrex type service, or PBX systems equipped for
15 switched local network connections or 9-1-1 system access to
16 residential end users through a private telephone switch.

17 "Private residential switch service" does not include key
18 telephone systems or equivalent telephone systems registered
19 with the Federal Communications Commission under 47 C.F.R.
20 Part 68 when not used in conjunction with a VoIP, Centrex type,
21 or PBX systems. "Private residential switch service" typically
22 includes, but is not limited to, apartment complexes,
23 condominiums, and campus or university environments where
24 shared tenant service is provided and where the usage of the
25 telecommunications service is primarily residential.

26 "Public agency" means the State, and any unit of local

1 government or special purpose district located in whole or in
2 part within this State, that provides or has authority to
3 provide firefighting, police, ambulance, medical, or other
4 emergency services.

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

12 "Public safety answering point" or "PSAP" means the
13 primary answering location of an emergency call that meets the
14 appropriate standards of service and is responsible for
15 receiving and processing ~~is a set of call takers authorized by~~
16 ~~a governing body and operating under common management that~~
17 ~~receive 9 1 1 calls and asynchronous event notifications for a~~
18 ~~defined geographic area and processes~~ those calls and events
19 according to a specified operational policy.

20 "PSAP representative" means the manager or supervisor of a
21 Public Safety Answering Point (PSAP) who oversees the daily
22 operational functions and is responsible for the overall
23 management and administration of the PSAP.

24 "Public safety telecommunicator" means any person employed
25 in a full-time or part-time capacity at an answering point
26 whose duties or responsibilities include answering, receiving,

1 or transferring an emergency call for dispatch to the
2 appropriate emergency responder.

3 "Public safety telecommunicator supervisor" means any
4 person employed in a full-time or part-time capacity at an
5 answering point or by a 9-1-1 Authority, whose primary duties
6 or responsibilities are to direct, administer, or manage any
7 public safety telecommunicator and whose responsibilities
8 include answering, receiving, or transferring an emergency
9 call for dispatch to the appropriate responders.

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

13 "Referral ~~method~~" means a 9-1-1 service in which the
14 public safety telecommunicator ~~PSAP telecommunicator~~ provides
15 the calling party with the telephone number of the appropriate
16 public safety agency or other provider of emergency services.

17 "Regular service" means any telecommunications service,
18 other than advanced service, that is capable of transporting
19 either the subscriber's inter-premises voice
20 telecommunications services to the public switched network or
21 the subscriber's 9-1-1 calls to the public agency.

22 "Relay ~~method~~" means a 9-1-1 service in which the public
23 safety telecommunicator ~~PSAP telecommunicator~~ takes the
24 pertinent information from a caller and relays that
25 information to the appropriate public safety agency or other
26 provider of emergency services.

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

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

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

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

25 "System provider" means the contracted entity providing
26 9-1-1 network and database services.

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

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

10 "Transfer ~~method~~" means a 9-1-1 service in which the
11 public safety telecommunicator, who receives an emergency PSAP
12 telecommunicator receiving a call, transmits, redirects, or
13 conferences transfers that call to the appropriate public
14 safety agency or other provider of emergency services.
15 Transfer shall not include a relay or referral of the
16 information without transferring the caller.

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

19 "Trunk line" means a transmission path, or group of
20 transmission paths, connecting a subscriber's PBX to a
21 telecommunications carrier's public switched network. In the
22 case of regular service, each voice grade communications
23 channel or equivalent amount of bandwidth capable of
24 transporting either the subscriber's inter-premises voice
25 telecommunications services to the public switched network or
26 the subscriber's 9-1-1 calls to the public agency shall be

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

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

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

1 of completing the call dispatching process.

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

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

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

26 "Wireless public safety answering point" means the

1 functional division of a 9-1-1 authority accepting wireless
2 9-1-1 calls.

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

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

8 (50 ILCS 750/3) (from Ch. 134, par. 33)

9 (Section scheduled to be repealed on December 31, 2021)

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

12 (b) Within 18 months of the awarding of a contract to a
13 vendor certified under Section 13-900 of the Public Utilities
14 Act to provide Next Generation 9-1-1 service ~~By December 31,~~
15 ~~2021,~~ every 9-1-1 system in Illinois, except in a municipality
16 with a population over 500,000, shall provide Next Generation
17 9-1-1 service. A municipality with a population over 500,000
18 shall provide Next Generation 9-1-1 service by December 31,
19 2023.

20 (c) Nothing in this Act shall be construed to prohibit or
21 discourage in any way the formation of multijurisdictional or
22 regional systems, and any system established pursuant to this
23 Act may include the territory of more than one public agency or
24 may include a segment of the territory of a public agency.

25 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

1 (50 ILCS 750/5) (from Ch. 134, par. 35)

2 (Section scheduled to be repealed on December 31, 2021)

3 Sec. 5. The digits "9-1-1" shall be the primary emergency
4 telephone number within the system, but a public agency or
5 public safety agency shall maintain a separate secondary
6 10-digit ~~seven-digit~~ emergency backup number for at least 6
7 ~~six~~ months after the "9-1-1" system is established and in
8 operation, and shall maintain a separate number for
9 nonemergency telephone calls.

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

11 (50 ILCS 750/6) (from Ch. 134, par. 36)

12 (Section scheduled to be repealed on December 31, 2021)

13 Sec. 6. Capabilities of system; pay telephones. All
14 systems shall be designed to meet the specific requirements of
15 each community and public agency served by the system. Every
16 system shall be designed to have the capability to ~~of~~
17 ~~utilizing the~~ direct dispatch or to ~~method, relay method,~~
18 ~~transfer method, or referral method~~ in response to emergency
19 calls. The General Assembly finds and declares that the most
20 critical aspect of the design of any system is the procedure
21 established for handling a telephone request for emergency
22 services.

23 In addition, to maximize efficiency and utilization of the
24 system, all pay telephones within each system shall enable a

1 caller to dial "9-1-1" for emergency services without the
2 necessity of inserting a coin. This paragraph does not apply
3 to pay telephones located in penal institutions, as defined in
4 Section 2-14 of the Criminal Code of 2012, that have been
5 designated for the exclusive use of committed persons.

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

7 (50 ILCS 750/6.2 new)

8 Sec. 6.2. Every 9-1-1 system shall be able to accept text
9 to 9-1-1 no later than January 1, 2023. The Illinois State
10 Police shall adopt rules for the implementation of this
11 Section.

12 (50 ILCS 750/7) (from Ch. 134, par. 37)

13 (Section scheduled to be repealed on December 31, 2021)

14 Sec. 7. The General Assembly finds that, because of
15 overlapping jurisdiction of public agencies, public safety
16 agencies and telephone service areas, the Administrator, with
17 the advice and recommendation of the Statewide 9-1-1 Advisory
18 Board, shall establish a general overview or plan to
19 effectuate the purposes of this Act within the time frame
20 provided in this Act. The General Assembly further finds and
21 declares that direct dispatch should be used if possible to
22 shorten the time required for the public to request and
23 receive emergency aid. The Administrator shall minimize the
24 use of transfer, relay, and referral of an emergency call if

1 possible and encourage Backup PSAPs to be able to direct
2 dispatch. Transfer, relay, and referral of an emergency call
3 to an entity other than an answering point or the Illinois
4 State Police shall not be used in response to emergency calls
5 unless exigent circumstances exist. In order to insure that
6 proper preparation and implementation of emergency telephone
7 systems are accomplished by all public agencies as required
8 under this Act, the Department, with the advice and assistance
9 of the Attorney General, shall secure compliance by public
10 agencies as provided in this Act.

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

12 (50 ILCS 750/7.1 new)

13 Sec. 7.1. Training.

14 (a) Each 9-1-1 Authority, as well as its answering points,
15 shall ensure its public safety telecommunicators and public
16 safety telecommunicator Supervisors comply with the training,
17 testing, and certification requirements established pursuant
18 to Section 2605-53 of the Department of State Police Law.

19 (b) Each 9-1-1 Authority, as well as its answering points,
20 shall maintain a record regarding its public safety
21 telecommunicators and public safety telecommunicator
22 Supervisors compliance with this Section for at least 7 years
23 and shall make the training records available for inspection
24 by the Administrator upon request.

25 (c) Costs incurred for the development of standards,

1 training, testing and certification shall be expenses paid by
2 the Department from the funds available to the Administrator
3 and the Statewide 9-1-1 Advisory Board under Section 30 of
4 this Act. Nothing in this subsection shall prohibit the use of
5 grants or other nonsurcharge funding sources available for
6 this purpose.

7 (50 ILCS 750/8) (from Ch. 134, par. 38)

8 (Section scheduled to be repealed on December 31, 2021)

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

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

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

23 (Section scheduled to be repealed on December 31, 2021)

24 Sec. 10. (a) The Administrator, with the advice and

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

15 (a-5) All 9-1-1 systems are responsible for complying with
16 the uniform technical and operational standards adopted by the
17 Administrator and the Illinois State Police with the advice
18 and recommendation of the Statewide 9-1-1 Advisory Board.

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

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

1 Act.

2 (d) For rules that implicate both the regulation of 9-1-1
3 authorities under this Act and the regulation of
4 telecommunication carriers and 9-1-1 system service providers
5 under the Public Utilities Act, the Department and the
6 Commission may adopt joint rules necessary for implementation.

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

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

12 (50 ILCS 750/10.3)

13 (Section scheduled to be repealed on December 31, 2021)

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

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

23 (50 ILCS 750/11.5 new)

24 Sec. 11.5. Aggregator and originating service provider

1 responsibilities.

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

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

11 (1) A company 9-1-1 contact, address, email, and phone
12 number.

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

19 (c) Each aggregator shall establish procedures for
20 receiving No Record Found errors from the 9-1-1 System
21 Provider, identifying the originating service provider who
22 delivered the call to the aggregator, and referring the No
23 Record Found errors to that originating service provider.

24 (d) Each originating service provider shall establish
25 procedures with the 9-1-1 system provider for preventing and
26 resolving No Record Found errors in the 9-1-1 database and

1 make every effort to ensure 9-1-1 calls are sent to the
2 appropriate public safety answering point.

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

22 (f) The 9-1-1 system provider shall coordinate directly
23 with the originating service providers (unless the aggregator
24 separately agrees to coordinate with the originating service
25 providers) for migration, but in no case shall that migration
26 exceed 30 days after receipt of notice from the aggregator,

1 unless agreed to by the originating service provider and 9-1-1
2 system provider.

3 (g) Each aggregator shall coordinate test calls with the
4 9-1-1 system provider and the 9-1-1 Authority when turning up
5 new circuits or making network changes. Each originating
6 service provider shall perform testing of its network and
7 provisioning upon notification from the aggregator that the
8 network has been tested and accepted with the 9-1-1 system
9 provider.

10 (h) Each aggregator and originating service provider
11 customer shall deliver all 9-1-1 calls, audio, data, and
12 location to the 9-1-1 system at a location determined by the
13 State.

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

15 (Section scheduled to be repealed on December 31, 2021)

16 Sec. 14. The General Assembly declares that a major
17 purpose of this Act is to ensure that 9-1-1 systems have
18 redundant methods of dispatch for: (1) each public safety
19 agency within its jurisdiction, herein known as participating
20 agencies; and (2) 9-1-1 systems whose jurisdictional
21 boundaries are contiguous, herein known as adjacent 9-1-1
22 systems, when an emergency request for service is received for
23 a public safety agency that needs to be dispatched by the
24 adjacent 9-1-1 system. Another primary purpose of this Section
25 is to eliminate instances in which a public safety agency

1 refuses, once dispatched, to render aid outside of the
2 jurisdictional boundaries of the public safety agency.
3 Therefore, in implementing a 9-1-1 system under this Act, all
4 9-1-1 authorities shall enter into call handling and aid
5 outside jurisdictional boundaries agreements with each
6 participating agency and adjacent 9-1-1 system. The agreements
7 shall provide a primary and secondary means of dispatch. It
8 must also provide that, once an emergency unit is dispatched
9 in response to a request through the system, such unit shall
10 render its services to the requesting party without regard to
11 whether the unit is operating outside its normal
12 jurisdictional boundaries. Certified notification of the
13 continuation of call handling and aid outside jurisdictional
14 boundaries agreements shall be made among the involved parties
15 on an annual basis. The Illinois State Police may adopt rules
16 for the administration of this Section.

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

18 (50 ILCS 750/15.2) (from Ch. 134, par. 45.2)

19 (Section scheduled to be repealed on December 31, 2021)

20 Sec. 15.2. Any person placing an "emergency call" to
21 calling the number "911" for the purpose of making an a false
22 alarm or complaint and reporting false information when, at
23 the time the call or transmission is made, the person knows
24 there is no reasonable ground for making the call or
25 transmission and further knows that the call or transmission

1 could result in the emergency response of any public safety
2 agency, is subject to the provisions of Section 26-1 of the
3 Criminal Code of 2012.

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

5 (50 ILCS 750/15.2a) (from Ch. 134, par. 45.2a)

6 (Section scheduled to be repealed on December 31, 2021)

7 Sec. 15.2a. The installation of or connection to a
8 telephone company's network of any automatic alarm, automatic
9 alerting device, or mechanical dialer that causes the number
10 9-1-1 to be dialed in order to directly access emergency
11 services and does not provide for 2-way communication is
12 prohibited in a 9-1-1 system.

13 This Section does not apply to a person who connects to a
14 9-1-1 network using automatic crash notification technology
15 subject to an established protocol.

16 This Section does not apply to devices used to enable
17 access to the 9-1-1 system for cognitively-impaired or special
18 needs persons or for persons with disabilities in an emergency
19 situation reported by a caregiver after initiating a missing
20 person's report. The device must have the capability to be
21 activated and controlled remotely by trained personnel at a
22 service center to prevent falsely activated or repeated calls
23 to the 9-1-1 system in a single incident. The device must have
24 the technical capability to generate location information to
25 the 9-1-1 system. Under no circumstances shall a device be

1 sold for use in a geographical jurisdiction where the 9-1-1
2 system has not deployed wireless phase II location technology.
3 The alerting device shall also provide for either 2-way
4 communication or send a pre-recorded message to a 9-1-1
5 provider explaining the nature of the emergency so that the
6 9-1-1 provider will be able to dispatch the appropriate
7 emergency responder.

8 Violation of this Section is a Class A misdemeanor. A
9 second or subsequent violation of this Section is a Class 4
10 felony.

11 (Source: P.A. 99-143, eff. 7-27-15; 100-20, eff. 7-1-17.)

12 (50 ILCS 750/15.3) (from Ch. 134, par. 45.3)

13 (Section scheduled to be repealed on December 31, 2021)

14 Sec. 15.3. Local non-wireless surcharge.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 of the 98th General Assembly and until December 31, 2017, a
2 municipality with a population of 500,000 or more shall not
3 impose a monthly surcharge per network connection in excess of
4 the highest monthly surcharge imposed as of January 1, 2014 by
5 any county or municipality under subsection (c) of this
6 Section. Beginning January 1, 2018 and until December 31, 2023
7 ~~2021~~, a municipality with a population over 500,000 may not
8 impose a monthly surcharge in excess of \$5.00 per network
9 connection. On or after January 1, 2024 ~~2022~~, a municipality
10 with a population over 500,000 may not impose a monthly
11 surcharge in excess of \$2.50 per network connection.

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

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

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

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

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

22 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

23 (50 ILCS 750/15.3a)

24 (Section scheduled to be repealed on December 31, 2021)

25 Sec. 15.3a. Local wireless surcharge.

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

15 (b) Until December 31, 2017, the corporate authorities of
16 a municipality with a population in excess of 500,000 on the
17 effective date of this amendatory Act of the 99th General
18 Assembly may by ordinance continue to impose and collect a
19 monthly surcharge per commercial mobile radio service (CMRS)
20 connection or in-service telephone number billed on a monthly
21 basis that does not exceed the highest monthly surcharge
22 imposed as of January 1, 2014 by any county or municipality
23 under subsection (c) of Section 15.3 of this Act. Beginning
24 January 1, 2018, and until December 31, 2023 ~~2021~~, a
25 municipality with a population in excess of 500,000 may by
26 ordinance continue to impose and collect a monthly surcharge

1 per commercial mobile radio service (CMRS) connection or
2 in-service telephone number billed on a monthly basis that
3 does not exceed \$5.00. On or after January 1, 2024 ~~2022~~, the
4 municipality may continue imposing and collecting its wireless
5 carrier surcharge as provided in and subject to the
6 limitations of subsection (a) of this Section.

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

16 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

17 (50 ILCS 750/15.4) (from Ch. 134, par. 45.4)

18 (Section scheduled to be repealed on December 31, 2021)

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

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

23 The corporate authorities shall provide for the manner of
24 appointment and the number of members of the Board, provided
25 that the board shall consist of not fewer than 5 members, one

1 of whom must be a public member who is a resident of the local
2 exchange service territory included in the 9-1-1 coverage
3 area, one of whom (in counties with a population less than
4 100,000) may be a member of the county board, and at least 3 of
5 whom shall be representative of the 9-1-1 public safety
6 agencies, including but not limited to police departments,
7 fire departments, emergency medical services providers, and
8 emergency services and disaster agencies, and appointed on the
9 basis of their ability or experience. In counties with a
10 population of more than 100,000 but less than 2,000,000, a
11 member of the county board may serve on the Emergency
12 Telephone System Board. Elected officials, including members
13 of a county board, are also eligible to serve on the board.
14 Members of the board shall serve without compensation but
15 shall be reimbursed for their actual and necessary expenses.
16 Any 2 or more municipalities, counties, or combination
17 thereof, may, instead of establishing individual boards,
18 establish by intergovernmental agreement a Joint Emergency
19 Telephone System Board pursuant to this Section. The manner of
20 appointment of such a joint board shall be prescribed in the
21 agreement. On or after the effective date of this amendatory
22 Act of the 100th General Assembly, any new intergovernmental
23 agreement entered into to establish or join a Joint Emergency
24 Telephone System Board shall provide for the appointment of a
25 PSAP representative to the board.

26 Upon the effective date of this amendatory Act of the 98th

1 General Assembly, appointed members of the Emergency Telephone
2 System Board shall serve staggered 3-year terms if: (1) the
3 Board serves a county with a population of 100,000 or less; and
4 (2) appointments, on the effective date of this amendatory Act
5 of the 98th General Assembly, are not for a stated term. The
6 corporate authorities of the county or municipality shall
7 assign terms to the board members serving on the effective
8 date of this amendatory Act of the 98th General Assembly in the
9 following manner: (1) one-third of board members' terms shall
10 expire on January 1, 2015; (2) one-third of board members'
11 terms shall expire on January 1, 2016; and (3) remaining board
12 members' terms shall expire on January 1, 2017. Board members
13 may be re-appointed upon the expiration of their terms by the
14 corporate authorities of the county or municipality.

15 The corporate authorities of a county or municipality may,
16 by a vote of the majority of the members elected, remove an
17 Emergency Telephone System Board member for misconduct,
18 official misconduct, or neglect of office.

19 (b) The powers and duties of the board shall be defined by
20 ordinance of the municipality or county, or by
21 intergovernmental agreement in the case of a joint board. The
22 powers and duties shall include, but need not be limited to the
23 following:

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

25 (2) Coordinating and supervising the implementation,
26 upgrading, or maintenance of the system, including the

1 establishment of equipment specifications and coding
2 systems.

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

7 (4) Authorizing all disbursements from the fund.

8 (5) Hiring any staff necessary for the implementation
9 or upgrade of the system.

10 (6) (Blank).

11 (7) Designating a 9-1-1 System Manager, whose duties
12 and responsibilities shall be set forth by the Emergency
13 Telephone System Board in writing.

14 (c) All moneys received by a board pursuant to a surcharge
15 imposed under Section 15.3, or disbursed to it under Section
16 30, shall be deposited into a separate interest-bearing
17 Emergency Telephone System Fund account. The treasurer of the
18 municipality or county that has established the board or, in
19 the case of a joint board, any municipal or county treasurer
20 designated in the intergovernmental agreement, shall be
21 custodian of the fund. All interest accruing on the fund shall
22 remain in the fund. No expenditures may be made from such fund
23 except upon the direction of the board by resolution passed by
24 a majority of all members of the board.

25 (d) The board shall complete a Master Street Address Guide
26 database before implementation of the 9-1-1 system. The error

1 ratio of the database shall not at any time exceed 1% of the
2 total database.

3 (e) On and after January 1, 2016, no municipality or
4 county may create an Emergency Telephone System Board unless
5 the board is a Joint Emergency Telephone System Board. The
6 corporate authorities of any county or municipality entering
7 into an intergovernmental agreement to create or join a Joint
8 Emergency Telephone System Board shall rescind an ordinance or
9 ordinances creating a single Emergency Telephone System Board
10 and shall eliminate the single Emergency Telephone System
11 Board, effective upon the creation of the Joint Emergency
12 Telephone System Board, with regulatory approval by the
13 Administrator, or joining of the Joint Emergency Telephone
14 System Board. Nothing in this Section shall be construed to
15 require the dissolution of an Emergency Telephone System Board
16 that is not succeeded by a Joint Emergency Telephone System
17 Board or is not required to consolidate under Section 15.4a of
18 this Act.

19 (f) Within one year after the effective date of this
20 amendatory Act of the 100th General Assembly, any corporate
21 authorities of a county or municipality, other than a
22 municipality with a population of more than 500,000, operating
23 a 9-1-1 system without an Emergency Telephone System Board or
24 Joint Emergency Telephone System Board shall create or join a
25 Joint Emergency Telephone System Board.

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

1 (50 ILCS 750/15.4a)

2 (Section scheduled to be repealed on December 31, 2021)

3 Sec. 15.4a. Consolidation.

4 (a) By July 1, 2017, and except as otherwise provided in
5 this Section, Emergency Telephone System Boards, Joint
6 Emergency Telephone System Boards, ~~qualified governmental~~
7 ~~entities,~~ and PSAPs shall be consolidated as follows, subject
8 to subsections (b) and (c) of this Section:

9 (1) In any county with a population of at least
10 250,000 that has a single Emergency Telephone System
11 Board, ~~or qualified governmental entity~~ and more than 2
12 PSAPs, shall reduce the number of PSAPs by at least 50% or
13 to 2 PSAPs, whichever is greater. Nothing in this
14 paragraph shall preclude consolidation resulting in one
15 PSAP in the county.

16 (2) In any county with a population of at least
17 250,000 that has more than one Emergency Telephone System
18 Board, Joint Emergency Telephone System Board, ~~or~~
19 ~~qualified governmental entity,~~ any 9-1-1 Authority serving
20 a population of less than 25,000 shall be consolidated
21 such that no 9-1-1 Authority in the county serves a
22 population of less than 25,000.

23 (3) In any county with a population of at least
24 250,000 but less than 1,000,000 that has more than one
25 Emergency Telephone System Board, Joint Emergency

1 Telephone System Board, ~~or qualified governmental entity,~~
2 each 9-1-1 Authority shall reduce the number of PSAPs by
3 at least 50% or to 2 PSAPs, whichever is greater. Nothing
4 in this paragraph shall preclude consolidation of a 9-1-1
5 Authority into a Joint Emergency Telephone System Board,
6 and nothing in this paragraph shall preclude consolidation
7 resulting in one PSAP in the county.

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

15 (5) In any county with a population of less than
16 250,000 that has more than one Emergency Telephone System
17 Board or ~~Joint Emergency Telephone System Board,~~ ~~or~~
18 ~~qualified governmental entity~~ and more than 2 PSAPs, the
19 9-1-1 Authorities shall be consolidated into a single
20 joint board, and the number of PSAPs shall be reduced by at
21 least 50% or to 2 PSAPs, whichever is greater. Nothing in
22 this paragraph shall preclude consolidation resulting in
23 one PSAP in the county.

24 (6) Any 9-1-1 Authority that does not have a PSAP
25 within its jurisdiction shall be consolidated through an
26 intergovernmental agreement with an existing 9-1-1

1 Authority that has a PSAP to create a Joint Emergency
2 Telephone Board.

3 (7) The corporate authorities of each county that has
4 no 9-1-1 service as of January 1, 2016 shall provide
5 ~~enhanced~~ 9-1-1 wireline and wireless ~~enhanced~~ 9-1-1
6 service for that county by either (i) entering into an
7 intergovernmental agreement with an existing Emergency
8 Telephone System Board to create a new Joint Emergency
9 Telephone System Board, or (ii) entering into an
10 intergovernmental agreement with the corporate authorities
11 that have created an existing Joint Emergency Telephone
12 System Board.

13 (b) By July 1, 2016, each county required to consolidate
14 pursuant to paragraph (7) of subsection (a) of this Section
15 and each 9-1-1 Authority required to consolidate pursuant to
16 paragraphs (1) through (6) of subsection (a) of this Section
17 shall file a plan for consolidation or a request for a waiver
18 pursuant to subsection (c) of this Section with the Office of
19 the Statewide 9-1-1 Administrator.

20 (1) No county or 9-1-1 Authority may avoid the
21 requirements of this Section by converting primary PSAPs
22 to secondary or virtual answering points; however a PSAP
23 may be decommissioned. Staff from decommissioned PSAPs may
24 remain to perform nonemergency police, fire, or EMS
25 responsibilities. Any county or 9-1-1 Authority not in
26 compliance with this Section shall be ineligible to

1 receive consolidation grant funds issued under Section
2 15.4b of this Act or monthly disbursements otherwise due
3 under Section 30 of this Act, until the county or 9-1-1
4 Authority is in compliance.

5 (2) Within 60 calendar days of receiving a
6 consolidation plan or waiver, the Statewide 9-1-1 Advisory
7 Board shall hold at least one public hearing on the plan
8 and provide a recommendation to the Administrator. Notice
9 of the hearing shall be provided to the respective entity
10 to which the plan applies.

11 (3) Within 90 calendar days of receiving a
12 consolidation plan, the Administrator shall approve the
13 plan or waiver, approve the plan as modified, or grant a
14 waiver pursuant to subsection (c) of this Section. In
15 making his or her decision, the Administrator shall
16 consider any recommendation from the Statewide 9-1-1
17 Advisory Board regarding the plan. If the Administrator
18 does not follow the recommendation of the Board, the
19 Administrator shall provide a written explanation for the
20 deviation in his or her decision.

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

24 (c) A waiver from a consolidation required under
25 subsection (a) of this Section may be granted if the
26 Administrator finds that the consolidation will result in a

1 substantial threat to public safety, is economically
2 unreasonable, or is technically infeasible.

3 (d) Any decision of the Administrator under this Section
4 shall be deemed a final administrative decision and shall be
5 subject to judicial review under the Administrative Review
6 Law.

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

8 (50 ILCS 750/15.6)

9 (Section scheduled to be repealed on December 31, 2021)

10 Sec. 15.6. ~~Enhanced~~ 9-1-1 service; business service.

11 (a) After June 30, 2000, or within 18 months after
12 ~~enhanced~~ 9-1-1 service becomes available, any entity that
13 installs or operates a private business switch service and
14 provides telecommunications facilities or services to
15 businesses shall assure that the system is connected to the
16 public switched network in a manner that calls to 9-1-1 result
17 in automatic number and location identification. For buildings
18 having their own street address and containing workspace of
19 40,000 square feet or less, location identification shall
20 include the building's street address. For buildings having
21 their own street address and containing workspace of more than
22 40,000 square feet, location identification shall include the
23 building's street address and one distinct location
24 identification per 40,000 square feet of workspace. Separate
25 buildings containing workspace of 40,000 square feet or less

1 having a common public street address shall have a distinct
2 location identification for each building in addition to the
3 street address.

4 (b) Exemptions. Buildings containing workspace of more
5 than 40,000 square feet are exempt from the multiple location
6 identification requirements of subsection (a) if the building
7 maintains, at all times, alternative and adequate means of
8 signaling and responding to emergencies. Those means shall
9 include, but not be limited to, a telephone system that
10 provides the physical location of 9-1-1 calls coming from
11 within the building. Health care facilities are presumed to
12 meet the requirements of this paragraph if the facilities are
13 staffed with medical or nursing personnel 24 hours per day and
14 if an alternative means of providing information about the
15 source of an emergency call exists. Buildings under this
16 exemption must provide 9-1-1 service that provides the
17 building's street address.

18 Buildings containing workspace of more than 40,000 square
19 feet are exempt from subsection (a) if the building maintains,
20 at all times, alternative and adequate means of signaling and
21 responding to emergencies, including a telephone system that
22 provides the location of a 9-1-1 call coming from within the
23 building, and the building is serviced by its own medical,
24 fire and security personnel. Buildings under this exemption
25 are subject to emergency phone system certification by the
26 Administrator.

1 Buildings in communities not serviced by ~~enhanced~~ 9-1-1
2 service are exempt from subsection (a).

3 Correctional institutions and facilities, as defined in
4 subsection (d) of Section 3-1-2 of the Unified Code of
5 Corrections, are exempt from subsection (a).

6 (c) This Act does not apply to any PBX telephone extension
7 that uses radio transmissions to convey electrical signals
8 directly between the telephone extension and the serving PBX.

9 (d) An entity that violates this Section is guilty of a
10 business offense and shall be fined not less than \$1,000 and
11 not more than \$5,000.

12 (e) Nothing in this Section shall be construed to preclude
13 the Attorney General on behalf of the Department or on his or
14 her own initiative, or any other interested person, from
15 seeking judicial relief, by mandamus, injunction, or
16 otherwise, to compel compliance with this Section.

17 (f) The Department may promulgate rules for the
18 administration of this Section.

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

20 (50 ILCS 750/15.6a)

21 (Section scheduled to be repealed on December 31, 2021)

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

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

25 (b) The Department may set non-discriminatory and uniform

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

13 (c) For the purpose of providing wireless 9-1-1 emergency
14 services, an emergency telephone system board ~~or, in the~~
15 ~~absence of an emergency telephone system board, a qualified~~
16 ~~governmental entity,~~ may declare its intention for one or more
17 of its public safety answering points to serve as a primary
18 wireless 9-1-1 public safety answering point for its
19 jurisdiction by notifying the Administrator in writing within
20 6 months after receiving its authority to operate a 9-1-1
21 system under this Act. In addition, 2 or more emergency
22 telephone system boards ~~or qualified governmental entities~~
23 may, by virtue of an intergovernmental agreement, provide
24 wireless 9-1-1 service. Until the jurisdiction comes into
25 compliance with Section 15.4a of this Act, the Department of
26 State Police shall be the primary wireless 9-1-1 public safety

1 answering point for any jurisdiction that did not provide
2 notice to the Illinois Commerce Commission and the Department
3 prior to January 1, 2016.

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

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

15 (50 ILCS 750/15.6b)

16 (Section scheduled to be repealed on December 31, 2021)

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

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

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

24 (2) enhanced interoperability;

25 (3) increased ease of communication between 9-1-1

1 service providers, allowing immediate transfer of 9-1-1
2 calls, caller information, photos, and other data
3 statewide;

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

5 (5) compliance with the most current NENA Standards ~~13~~
6 ~~Solution 08-003~~.

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

16 (c) Within 12 months of the final report from the
17 consultant under subsection (b) of this Section, the
18 Department shall procure and finalize a contract with a vendor
19 certified under Section 13-900 of the Public Utilities Act to
20 establish a statewide Next Generation 9-1-1 network. The
21 Illinois State Police, in consultation with and subject to the
22 approval of the Chief Procurement Officer, may procure a
23 single contract or multiple contracts to implement the
24 provisions of this Section. A contract or contracts under this
25 subsection are not subject to the provisions of the Illinois
26 Procurement Code, except for Sections 20-60, 20-65, 20-70, and

1 20-160 and Article 50 of that Code, provided that the Chief
2 Procurement Officer may, in writing with justification, waive
3 any certification required under Article 50 of the Illinois
4 Procurement Code. This exemption is inoperative 2 years from
5 the effective date of this Amendatory Act of the 102nd General
6 Assembly. Within 18 months of securing the contract ~~By July 1,~~
7 ~~2021,~~ the vendor shall implement a Next Generation 9-1-1
8 network that allows 9-1-1 systems providing 9-1-1 service to
9 Illinois residents to access the system utilizing their
10 current infrastructure if it meets the standards adopted by
11 the Department.

12 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

13 (50 ILCS 750/17.5)

14 (Section scheduled to be repealed on December 31, 2021)

15 Sec. 17.5. Statewide 9-1-1 Call Directory ~~call transfer,~~
16 ~~forward, or relay.~~

17 (a) The General Assembly finds the following:

18 (1) Some 9-1-1 systems throughout this State do not
19 have a procedure in place to manually transfer, ~~forward,~~
20 ~~or relay~~ 9-1-1 calls originating within one 9-1-1 system's
21 jurisdiction, but which should properly be answered and
22 dispatched by another 9-1-1 system, to the appropriate
23 9-1-1 system for answering and dispatch of first
24 responders.

25 (2) On January 1, 2016, the General Assembly gave

1 oversight authority of 9-1-1 systems to the Department of
2 State Police.

3 (3) Since that date, the Department of State Police
4 has authorized individual 9-1-1 systems in counties and
5 municipalities to implement and upgrade ~~enhanced~~ 9-1-1
6 systems throughout the State.

7 (b) The Department shall prepare a directory of all
8 authorized 9-1-1 systems in the State. The directory shall
9 include an emergency 24/7 10-digit telephone number for all
10 primary public safety answering points located in each 9-1-1
11 system to which 9-1-1 calls from another jurisdiction can be
12 transferred. This directory shall be made available to each
13 9-1-1 authority for its use in establishing standard operating
14 procedures regarding calls outside its 9-1-1 jurisdiction.

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

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

20 (2) The 24/7 10-digit emergency telephone number ~~and~~
21 ~~email address~~ for the dispatch agency to which 9-1-1 calls
22 originating in another 9-1-1 jurisdiction can be
23 transferred ~~or by which the PSAP can be contacted via~~
24 ~~email~~ to exchange information. The emergency telephone
25 number must be a direct line that is not answered by an
26 automated system but rather is answered by a person. Each

1 9-1-1 system shall provide the Department with any changes
2 to the participating agencies and this number ~~and email~~
3 ~~address~~ immediately upon the change occurring. Each 9-1-1
4 system shall provide the PSAP information and ~~,~~ the 24/7
5 10-digit emergency telephone number ~~and email address to~~
6 ~~the Manager of the Department's 9 1 1 Program~~ within 30
7 days of the effective date of this amendatory Act of the
8 102nd 100th General Assembly.

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

18 (d) Unless exigent circumstances dictate otherwise, each
19 9-1-1 system's public safety telecommunicators shall be
20 responsible for remaining on the line with the caller when a
21 9-1-1 call originates within its jurisdiction to ensure the
22 9-1-1 call is transferred to the appropriate authorized entity
23 for answer and dispatch until a public safety telecommunicator
24 is on the line and confirms jurisdiction for the call.

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

1 (50 ILCS 750/19)

2 (Section scheduled to be repealed on December 31, 2021)

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

4 (a) Beginning July 1, 2015, there is created the Statewide
5 9-1-1 Advisory Board within the Department of State Police.
6 The Board shall consist of the following 11 voting members:

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

9 (2) The Executive Director of the Commission, or his
10 or her designee.

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

12 (A) one member representing the Illinois chapter
13 of the National Emergency Number Association, or his
14 or her designee;

15 (B) one member representing the Illinois chapter
16 of the Association of Public-Safety Communications
17 Officials, or his or her designee;

18 (C) one member representing a county 9-1-1 system
19 from a county with a population of less than 37,000
20 ~~50,000~~;

21 (C-5) one member representing a county 9-1-1
22 system from a county with a population between 37,000
23 and 100,000;

24 (D) one member representing a county 9-1-1 system
25 from a county with a population between 100,001 ~~50,000~~
26 and 250,000;

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

3 (F) one member representing a municipal or
4 intergovernmental cooperative 9-1-1 system, excluding
5 any single municipality over 500,000 ~~municipality with~~
6 ~~a population of less than 500,000 in a county with a~~
7 ~~population in excess of 2,000,000;~~

8 (G) one member representing the Illinois
9 Association of Chiefs of Police;

10 (H) one member representing the Illinois Sheriffs'
11 Association; and

12 (I) one member representing the Illinois Fire
13 Chiefs Association.

14 The Governor shall appoint the following non-voting
15 members: (i) one member representing an incumbent local
16 exchange 9-1-1 system provider; (ii) one member representing a
17 non-incumbent local exchange 9-1-1 system provider; (iii) one
18 member representing a large wireless carrier; (iv) one member
19 representing an incumbent local exchange carrier; (v) one
20 member representing the Illinois Broadband and
21 Telecommunications Association; (vi) one member representing
22 the Illinois Broadband and Cable ~~Television and Communication~~
23 ~~Association of Illinois~~; and (vii) one member representing the
24 Illinois State Ambulance Association. The Speaker of the House
25 of Representatives, the Minority Leader of the House of
26 Representatives, the President of the Senate, and the Minority

1 Leader of the Senate may each appoint a member of the General
2 Assembly to temporarily serve as a non-voting member of the
3 Board during the 12 months prior to the repeal date of this Act
4 to discuss legislative initiatives of the Board.

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

15 Members of the Statewide 9-1-1 Advisory Board shall serve
16 without compensation.

17 (c) The 9-1-1 Services Advisory Board, as constituted on
18 June 1, 2015 without the legislative members, shall serve in
19 the role of the Statewide 9-1-1 Advisory Board until all
20 appointments of voting members have been made by the Governor
21 under subsection (a) of this Section.

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

23 (1) advise the Department of State Police and the
24 Statewide 9-1-1 Administrator on the oversight of 9-1-1
25 systems and the development and implementation of a
26 uniform statewide 9-1-1 system;

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

4 (3) exercise all other powers and duties provided in
5 this Act.

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

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

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

13 (50 ILCS 750/20)

14 (Section scheduled to be repealed on December 31, 2021)

15 Sec. 20. Statewide surcharge.

16 (a) On and after January 1, 2016, and except with respect
17 to those customers who are subject to surcharges as provided
18 in Sections 15.3 and 15.3a of this Act, a monthly surcharge
19 shall be imposed on all customers of telecommunications
20 carriers and wireless carriers as follows:

21 (1) Each telecommunications carrier shall impose a
22 monthly surcharge per network connection; provided,
23 however, the monthly surcharge shall not apply to a
24 network connection provided for use with pay telephone
25 services. Where multiple voice grade communications

1 channels are connected between the subscriber's premises
2 and a public switched network through private branch
3 exchange (PBX), Centrex ~~centrex~~ type service, or other
4 multiple voice grade communication channels facility,
5 there shall be imposed 5 such surcharges per network
6 connection for both regular service and advanced service
7 provisioned trunk lines. Until December 31, 2017, the
8 surcharge shall be \$0.87 per network connection and on and
9 after January 1, 2018, the surcharge shall be \$1.50 per
10 network connection.

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

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

21 (c) The surcharges imposed by this Section shall be stated
22 as a separately stated item on subscriber bills.

23 (d) The telecommunications carrier collecting the
24 surcharge may deduct and retain 1.74% ~~an amount not to exceed~~
25 ~~3%~~ of the gross amount of surcharge collected to reimburse the
26 telecommunications carrier for the expense of accounting and

1 collecting the surcharge. On and after July 1, 2022, the
2 wireless carrier collecting a surcharge under this Section may
3 deduct and retain 1.74% ~~an amount not to exceed 3%~~ of the gross
4 amount of the surcharge collected to reimburse the wireless
5 carrier for the expense of accounting and collecting the
6 surcharge.

7 (d-5) Notwithstanding the provisions of subsection (d) of
8 this Section, an amount not greater than 2.5% may be deducted
9 and retained if the telecommunications or wireless carrier can
10 support through documentation, expenses that exceed the 1.74%
11 allowed. The documentation shall be submitted to the Illinois
12 State Police and input obtained from the Statewide 9-1-1
13 Advisory Board prior to approval of the deduction.

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

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

1 carrier that fails to provide the zip code information
2 required under this subsection (e) shall be subject to the
3 penalty set forth in subsection (g) of this Section.

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

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

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

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

24 (g) If, within 8 calendar days after it is due, a wireless
25 carrier does not provide the number of subscribers by zip code
26 as required under subsection (e) of this Section, then the

1 report is deemed delinquent and the Department may impose a
2 penalty against the carrier in an amount equal to the greater
3 of:

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

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

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

18 (h) A penalty imposed and collected in accordance with
19 subsection (f) or (g) of this Section shall be deposited into
20 the Statewide 9-1-1 Fund for distribution according to Section
21 30 of this Act.

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

1 payment of any penalty imposed under this Section if the
2 Administrator determines that the enforcement of this penalty
3 is unjust.

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

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

17 (50 ILCS 750/30)

18 (Section scheduled to be repealed on December 31, 2021)

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

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

25 (1) 9-1-1 wireless surcharges assessed under the

1 Wireless Emergency Telephone Safety Act.

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

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

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

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

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

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

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

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

26 (B) \$0.033 shall be transferred by the Comptroller

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

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

14 (D) Beginning January 1, 2018, until June 30,
15 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
16 be used to make monthly proportional grants to the
17 appropriate 9-1-1 Authority currently taking wireless
18 9-1-1 based upon the United States Postal Zip Code of
19 the billing addresses of subscribers wireless
20 carriers.

21 (E) Until June 30, 2023 ~~2021~~, \$0.05 shall be used
22 by the Department for grants for NG9-1-1 expenses,
23 with priority given to 9-1-1 Authorities that provide
24 9-1-1 service within the territory of a Large Electing
25 Provider as defined in Section 13-406.1 of the Public
26 Utilities Act.

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

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

7 (A) The Fund shall pay monthly to:

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

1 (ii) county qualified governmental entities
2 that did not impose a surcharge under Section 15.3
3 as of December 31, 2015, and counties that did not
4 impose a surcharge as of June 30, 2015, an amount
5 equivalent to their population multiplied by .37
6 multiplied by the rate of \$0.69; counties that are
7 not county qualified governmental entities and
8 that did not impose a surcharge as of December 31,
9 2015, shall not begin to receive the payment
10 provided for in this subsection until E9-1-1 and
11 wireless E9-1-1 services are provided within their
12 counties; or

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

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

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

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

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

26 (c) The moneys deposited into the Statewide 9-1-1 Fund

1 under this Section shall not be subject to administrative
2 charges or chargebacks unless otherwise authorized by this
3 Act.

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

16 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

17 (50 ILCS 750/40)

18 (Section scheduled to be repealed on December 31, 2021)

19 Sec. 40. Financial reports.

20 (a) The Department shall create uniform accounting
21 procedures, with such modification as may be required to give
22 effect to statutory provisions applicable only to
23 municipalities with a population in excess of 500,000, that
24 any emergency telephone system board, ~~qualified governmental~~
25 ~~entity,~~ or unit of local government receiving surcharge money

1 pursuant to Section 15.3, 15.3a, or 30 of this Act must follow.

2 (b) By January 31, 2018, and every January 31 thereafter,
3 each emergency telephone system board, ~~qualified governmental~~
4 ~~entity,~~ or unit of local government receiving surcharge money
5 pursuant to Section 15.3, 15.3a, or 30 shall report to the
6 Department audited financial statements showing total revenue
7 and expenditures for the period beginning with the end of the
8 period covered by the last submitted report through the end of
9 the previous calendar year in a form and manner as prescribed
10 by the Department. Such financial information shall include:

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

14 (2) all expenditures made during the reporting period
15 from distributions under this Act;

16 (3) call data and statistics, when available, from the
17 reporting period, as specified by the Department and
18 collected in accordance with any reporting method
19 established or required by the Department;

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

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

26 The emergency telephone system board, ~~qualified~~

1 ~~governmental entity,~~ or unit of local government is
2 responsible for any costs associated with auditing such
3 financial statements. The Department shall post the audited
4 financial statements on the Department's website.

5 (c) Along with its audited financial statement, each
6 emergency telephone system board, ~~qualified governmental~~
7 ~~entity,~~ or unit of local government receiving a grant under
8 Section 15.4b of this Act shall include a report of the amount
9 of grant moneys received and how the grant moneys were used. In
10 case of a conflict between this requirement and the Grant
11 Accountability and Transparency Act, or with the rules of the
12 Governor's Office of Management and Budget adopted thereunder,
13 that Act and those rules shall control.

14 (d) If an emergency telephone system board ~~or qualified~~
15 ~~governmental entity~~ that receives funds from the Statewide
16 9-1-1 Fund fails to file the 9-1-1 system financial reports as
17 required under this Section, the Department shall suspend and
18 withhold monthly disbursements otherwise due to the emergency
19 telephone system board ~~or qualified governmental entity~~ under
20 Section 30 of this Act until the report is filed.

21 Any monthly disbursements that have been withheld for 12
22 months or more shall be forfeited by the emergency telephone
23 system board ~~or qualified governmental entity~~ and shall be
24 distributed proportionally by the Department to compliant
25 emergency telephone system boards ~~and qualified governmental~~
26 ~~entities~~ that receive funds from the Statewide 9-1-1 Fund.

1 Any emergency telephone system board ~~or qualified~~
2 ~~governmental entity~~ not in compliance with this Section shall
3 be ineligible to receive any consolidation grant or
4 infrastructure grant issued under this Act.

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

7 (f) Any findings or decisions of the Department under this
8 Section shall be deemed a final administrative decision and
9 shall be subject to judicial review under the Administrative
10 Review Law.

11 (g) Beginning October 1, 2017, the Department shall
12 provide a quarterly report to the Statewide 9-1-1 Advisory
13 Board of its expenditures from the Statewide 9-1-1 Fund for
14 the prior fiscal quarter.

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

16 (50 ILCS 750/99)

17 (Section scheduled to be repealed on December 31, 2021)

18 Sec. 99. Repealer. This Act is repealed on December 31,
19 2023 ~~2021~~.

20 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

21 (50 ILCS 750/9 rep.)

22 (50 ILCS 750/13 rep.)

23 (50 ILCS 750/17 rep.)

24 Section 15. The Emergency Telephone System Act is amended

1 by repealing Sections 9, 13, and 17.

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

4 (50 ILCS 753/15)

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

6 (a) Until September 30, 2015, there is hereby imposed on
7 consumers a prepaid wireless 9-1-1 surcharge of 1.5% per
8 retail transaction. Beginning October 1, 2015, the prepaid
9 wireless 9-1-1 surcharge shall be 3% per retail transaction.
10 The surcharge authorized by this subsection (a) does not apply
11 in a home rule municipality having a population in excess of
12 500,000.

13 (a-5) On or after the effective date of this amendatory
14 Act of the 98th General Assembly and until December 31, 2023
15 ~~2020~~, a home rule municipality having a population in excess
16 of 500,000 on the effective date of this amendatory Act may
17 impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per
18 retail transaction sourced to that jurisdiction and collected
19 and remitted in accordance with the provisions of subsection
20 (b-5) of this Section. ~~On or after January 1, 2021, a home rule~~
21 ~~municipality having a population in excess of 500,000 on the~~
22 ~~effective date of this Act may only impose a prepaid wireless~~
23 ~~9-1-1 surcharge not to exceed 7% per retail transaction~~
24 ~~sourced to that jurisdiction and collected and remitted in~~

1 ~~accordance with the provisions of subsection (b-5).~~

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

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

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

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

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

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

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

1 For purposes of this subsection (c), the surcharge shall
2 not be imposed or collected from entities that have an active
3 tax exemption identification number issued by the Department
4 under Section 1g of the Retailers' Occupation Tax Act.

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

12 (e) (Blank).

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

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

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

15 (g) The prepaid wireless 9-1-1 surcharge imposed under
16 subsections (a) and (a-5) of this Section is not imposed on the
17 provider or the consumer for wireless Lifeline service where
18 the consumer does not pay the provider for the service. Where
19 the consumer purchases from the provider optional minutes,
20 texts, or other services in addition to the federally funded
21 Lifeline benefit, a consumer must pay the prepaid wireless
22 9-1-1 surcharge, and it must be collected by the seller
23 according to subsection (b-5).

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

25 Section 25. The Small Wireless Facilities Deployment Act

1 is amended by changing Sections 15 and 90 and by adding Section
2 45 as follows:

3 (50 ILCS 840/15) (was 50 ILCS 835/15)

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

5 Sec. 15. Regulation of small wireless facilities.

6 (a) This Section applies to activities of a wireless
7 provider within or outside rights-of-way.

8 (b) Except as provided in this Section, an authority may
9 not prohibit, regulate, or charge for the collocation of small
10 wireless facilities.

11 (c) Small wireless facilities shall be classified as
12 permitted uses and subject to administrative review in
13 conformance with this Act, except as provided in paragraph (5)
14 of subsection (d) of this Section regarding height exceptions
15 or variances, but not subject to zoning review or approval if
16 they are collocated (i) in rights-of-way in any zone, or (ii)
17 outside rights-of-way in property zoned exclusively for
18 commercial or industrial use.

19 (d) An authority may require an applicant to obtain one or
20 more permits to collocate a small wireless facility. An
21 authority shall receive applications for, process, and issue
22 permits subject to the following requirements:

23 (1) An authority may not directly or indirectly
24 require an applicant to perform services unrelated to the
25 collocation for which approval is sought, such as in-kind

1 contributions to the authority, including reserving fiber,
2 conduit, or utility pole space for the authority on the
3 wireless provider's utility pole. An authority may reserve
4 space on authority utility poles for future public safety
5 uses or for the authority's electric utility uses, but a
6 reservation of space may not preclude the collocation of a
7 small wireless facility unless the authority reasonably
8 determines that the authority utility pole cannot
9 accommodate both uses.

10 (2) An applicant shall not be required to provide more
11 information to obtain a permit than the authority requires
12 of a communications service provider that is not a
13 wireless provider that requests to attach facilities to a
14 structure; however, a wireless provider may be required to
15 provide the following information when seeking a permit to
16 collocate small wireless facilities on a utility pole or
17 wireless support structure:

18 (A) site specific structural integrity and, for an
19 authority utility pole, make-ready analysis prepared
20 by a structural engineer, as that term is defined in
21 Section 4 of the Structural Engineering Practice Act
22 of 1989;

23 (B) the location where each proposed small
24 wireless facility or utility pole would be installed
25 and photographs of the location and its immediate
26 surroundings depicting the utility poles or structures

1 on which each proposed small wireless facility would
2 be mounted or location where utility poles or
3 structures would be installed;

4 (C) specifications and drawings prepared by a
5 structural engineer, as that term is defined in
6 Section 4 of the Structural Engineering Practice Act
7 of 1989, for each proposed small wireless facility
8 covered by the application as it is proposed to be
9 installed;

10 (D) the equipment type and model numbers for the
11 antennas and all other wireless equipment associated
12 with the small wireless facility;

13 (E) a proposed schedule for the installation and
14 completion of each small wireless facility covered by
15 the application, if approved; ~~and~~

16 (F) certification that the collocation complies
17 with paragraph (6) to the best of the applicant's
18 knowledge; and -

19 (G) the wireless provider's certification from a
20 radio engineer that it operates the small wireless
21 facility within all applicable FCC standards.

22 (3) Subject to paragraph (6), an authority may not
23 require the placement of small wireless facilities on any
24 specific utility pole, or category of utility poles, or
25 require multiple antenna systems on a single utility pole;
26 however, with respect to an application for the

1 collocation of a small wireless facility associated with a
2 new utility pole, an authority may propose that the small
3 wireless facility be collocated on an existing utility
4 pole or existing wireless support structure within 200 ~~100~~
5 feet of the proposed collocation, which the applicant
6 shall accept if it has the right to use the alternate
7 structure on reasonable terms and conditions and the
8 alternate location and structure does not impose technical
9 limits or additional material costs as determined by the
10 applicant. The authority may require the applicant to
11 provide a written certification describing the property
12 rights, technical limits or material cost reasons the
13 alternate location does not satisfy the criteria in this
14 paragraph (3).

15 (4) Subject to paragraph (6), an authority may not
16 limit the placement of small wireless facilities mounted
17 on a utility pole or a wireless support structure by
18 minimum horizontal separation distances.

19 (5) An authority may limit the maximum height of a
20 small wireless facility to 10 feet above the utility pole
21 or wireless support structure on which the small wireless
22 facility is collocated. Subject to any applicable waiver,
23 zoning, or other process that addresses wireless provider
24 requests for an exception or variance and does not
25 prohibit granting of such exceptions or variances, the
26 authority may limit the height of new or replacement

1 utility poles or wireless support structures on which
2 small wireless facilities are collocated to the higher of:
3 (i) 10 feet in height above the tallest existing utility
4 pole, other than a utility pole supporting only wireless
5 facilities, that is in place on the date the application
6 is submitted to the authority, that is located within 300
7 feet of the new or replacement utility pole or wireless
8 support structure and that is in the same right-of-way
9 within the jurisdictional boundary of the authority,
10 provided the authority may designate which intersecting
11 right-of-way within 300 feet of the proposed utility pole
12 or wireless support structures shall control the height
13 limitation for such facility; or (ii) 45 feet above ground
14 level.

15 (6) An authority may require that:

16 (A) the wireless provider's operation of the small
17 wireless facilities does not interfere with the
18 frequencies used by a public safety agency for public
19 safety communications; a wireless provider shall
20 install small wireless facilities of the type and
21 frequency that will not cause unacceptable
22 interference with a public safety agency's
23 communications equipment; unacceptable interference
24 will be determined by and measured in accordance with
25 industry standards and the FCC's regulations
26 addressing unacceptable interference to public safety

1 spectrum or any other spectrum licensed by a public
2 safety agency; if a small wireless facility causes
3 such interference, and the wireless provider has been
4 given written notice of the interference by the public
5 safety agency, the wireless provider, at its own
6 expense, shall take all reasonable steps necessary to
7 correct and eliminate the interference, including, but
8 not limited to, powering down the small wireless
9 facility and later powering up the small wireless
10 facility for intermittent testing, if necessary; the
11 authority may terminate a permit for a small wireless
12 facility based on such interference if the wireless
13 provider is not making a good faith effort to remedy
14 the problem in a manner consistent with the abatement
15 and resolution procedures for interference with public
16 safety spectrum established by the FCC including 47
17 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672
18 through 47 CFR 90.675;

19 (B) the wireless provider comply with requirements
20 that are imposed by a contract between an authority
21 and a private property owner that concern design or
22 construction standards applicable to utility poles and
23 ground-mounted equipment located in the right-of-way;

24 (C) the wireless provider comply with applicable
25 spacing requirements in applicable codes and
26 ordinances concerning the location of ground-mounted

1 equipment located in the right-of-way if the
2 requirements include a waiver, zoning, or other
3 process that addresses wireless provider requests for
4 exception or variance and do not prohibit granting of
5 such exceptions or variances;

6 (D) the wireless provider comply with local code
7 provisions or regulations concerning undergrounding
8 requirements that prohibit the installation of new or
9 the modification of existing utility poles in a
10 right-of-way without prior approval if the
11 requirements include a waiver, zoning, or other
12 process that addresses requests to install such new
13 utility poles or modify such existing utility poles
14 and do not prohibit the replacement of utility poles;

15 (E) the wireless provider comply with generally
16 applicable standards that are consistent with this Act
17 and adopted by an authority for construction and
18 public safety in the rights-of-way, including, but not
19 limited to, reasonable and nondiscriminatory wiring
20 and cabling requirements, grounding requirements,
21 utility pole extension requirements, acoustic
22 regulations, and signage limitations; and shall comply
23 with reasonable and nondiscriminatory requirements
24 that are consistent with this Act and adopted by an
25 authority regulating the location, size, surface area
26 and height of small wireless facilities, or the

1 abandonment and removal of small wireless facilities;

2 (F) the wireless provider not collocate small
3 wireless facilities on authority utility poles that
4 are part of an electric distribution or transmission
5 system within the communication worker safety zone of
6 the pole or the electric supply zone of the pole;
7 however, the antenna and support equipment of the
8 small wireless facility may be located in the
9 communications space on the authority utility pole and
10 on the top of the pole, if not otherwise unavailable,
11 if the wireless provider complies with applicable
12 codes for work involving the top of the pole; for
13 purposes of this subparagraph (F), the terms
14 "communications space", "communication worker safety
15 zone", and "electric supply zone" have the meanings
16 given to those terms in the National Electric Safety
17 Code as published by the Institute of Electrical and
18 Electronics Engineers;

19 (G) the wireless provider comply with the
20 applicable codes and local code provisions or
21 regulations that concern public safety;

22 (H) the wireless provider comply with written
23 design standards that are generally applicable for
24 decorative utility poles, or reasonable stealth,
25 concealment, and aesthetic requirements that are
26 identified by the authority in an ordinance, written

1 policy adopted by the governing board of the
2 authority, a comprehensive plan, or other written
3 design plan that applies to other occupiers of the
4 rights-of-way, including on a historic landmark or in
5 a historic district; ~~and~~

6 (I) subject to subsection (c) of this Section, and
7 except for facilities excluded from evaluation for
8 effects on historic properties under 47 CFR
9 1.1307(a)(4), reasonable, technically feasible and
10 non-discriminatory design or concealment measures in a
11 historic district or historic landmark; any such
12 design or concealment measures, including restrictions
13 on a specific category of poles, may not have the
14 effect of prohibiting any provider's technology; such
15 design and concealment measures shall not be
16 considered a part of the small wireless facility for
17 purposes of the size restrictions of a small wireless
18 facility; this paragraph may not be construed to limit
19 an authority's enforcement of historic preservation in
20 conformance with the requirements adopted pursuant to
21 the Illinois State Agency Historic Resources
22 Preservation Act or the National Historic Preservation
23 Act of 1966, 54 U.S.C. Section 300101 et seq., and the
24 regulations adopted to implement those laws; and -

25 (J) When a wireless provider replaces or adds a
26 new radio transceiver or antennas to an existing small

1 wireless facility, certification by the wireless
2 provider from a radio engineer that the continuing
3 operation of the small wireless facility complies with
4 all applicable FCC standards.

5 (7) Within 30 days after receiving an application, an
6 authority must determine whether the application is
7 complete and notify the applicant. If an application is
8 incomplete, an authority must specifically identify the
9 missing information. An application shall be deemed
10 complete if the authority fails to provide notification to
11 the applicant within 30 days after when all documents,
12 information, and fees specifically enumerated in the
13 authority's permit application form are submitted by the
14 applicant to the authority. Processing deadlines are
15 tolled from the time the authority sends the notice of
16 incompleteness to the time the applicant provides the
17 missing information.

18 (8) An authority shall process applications as
19 follows:

20 (A) an application to collocate a small wireless
21 facility on an existing utility pole or wireless
22 support structure shall be processed on a
23 nondiscriminatory basis and deemed approved if the
24 authority fails to approve or deny the application
25 within 90 days; however, if an applicant intends to
26 proceed with the permitted activity on a deemed

1 approved basis, the applicant must notify the
2 authority in writing of its intention to invoke the
3 deemed approved remedy no sooner than 75 days after
4 the submission of a completed application; the permit
5 shall be deemed approved on the latter of the 90th day
6 after submission of the complete application or the
7 10th day after the receipt of the deemed approved
8 notice by the authority; the receipt of the deemed
9 approved notice shall not preclude the authority's
10 denial of the permit request within the time limits as
11 provided under this Act; and

12 (B) an application to collocate a small wireless
13 facility that includes the installation of a new
14 utility pole shall be processed on a nondiscriminatory
15 basis and deemed approved if the authority fails to
16 approve or deny the application within 120 days;
17 however, if an applicant intends to proceed with the
18 permitted activity on a deemed approved basis, the
19 applicant must notify the authority in writing of its
20 intention to invoke the deemed approved remedy no
21 sooner than 105 days after the submission of a
22 completed application; the permit shall be deemed
23 approved on the latter of the 120th day after
24 submission of the complete application or the 10th day
25 after the receipt of the deemed approved notice by the
26 authority; the receipt of the deemed approved notice

1 shall not preclude the authority's denial of the
2 permit request within the time limits as provided
3 under this Act.

4 (9) An authority shall approve an application unless
5 the application does not meet the requirements of this
6 Act. If an authority determines that applicable codes,
7 local code provisions or regulations that concern public
8 safety, or the requirements of paragraph (6) require that
9 the utility pole or wireless support structure be replaced
10 before the requested collocation, approval may be
11 conditioned on the replacement of the utility pole or
12 wireless support structure at the cost of the provider.
13 The authority must document the basis for a denial,
14 including the specific code provisions or application
15 conditions on which the denial was based, and send the
16 documentation to the applicant on or before the day the
17 authority denies an application. The applicant may cure
18 the deficiencies identified by the authority and resubmit
19 the revised application once within 30 days after notice
20 of denial is sent to the applicant without paying an
21 additional application fee. The authority shall approve or
22 deny the revised application within 30 days after the
23 applicant resubmits the application or it is deemed
24 approved; however, the applicant must notify the authority
25 in writing of its intention to proceed with the permitted
26 activity on a deemed approved basis, which may be

1 submitted with the resubmitted application. Any subsequent
2 review shall be limited to the deficiencies cited in the
3 denial. However, this revised application cure does not
4 apply if the cure requires the review of a new location,
5 new or different structure to be collocated upon, new
6 antennas, or other wireless equipment associated with the
7 small wireless facility.

8 (10) The time period for applications may be further
9 tolled by:

10 (A) the express agreement in writing by both the
11 applicant and the authority; or

12 (B) a local, State, or federal disaster
13 declaration or similar emergency that causes the
14 delay.

15 (11) An applicant seeking to collocate small wireless
16 facilities within the jurisdiction of a single authority
17 shall be allowed, at the applicant's discretion, to file a
18 consolidated application and receive a single permit for
19 the collocation of up to 25 small wireless facilities if
20 the collocations each involve substantially the same type
21 of small wireless facility and substantially the same type
22 of structure. If an application includes multiple small
23 wireless facilities, the authority may remove small
24 wireless facility collocations from the application and
25 treat separately small wireless facility collocations for
26 which incomplete information has been provided or that do

1 not qualify for consolidated treatment or that are denied.
2 The authority may issue separate permits for each
3 collocation that is approved in a consolidated
4 application.

5 (12) Collocation for which a permit is granted shall
6 be completed within 180 days after issuance of the permit,
7 unless the authority and the wireless provider agree to
8 extend this period or a delay is caused by make-ready work
9 for an authority utility pole or by the lack of commercial
10 power or backhaul availability at the site, provided the
11 wireless provider has made a timely request within 60 days
12 after the issuance of the permit for commercial power or
13 backhaul services, and the additional time to complete
14 installation does not exceed 360 days after issuance of
15 the permit. Otherwise, the permit shall be void unless the
16 authority grants an extension in writing to the applicant.

17 (13) The duration of a permit shall be for a period of
18 not less than 5 years, and the permit shall be renewed for
19 equivalent durations unless the authority makes a finding
20 that the small wireless facilities or the new or modified
21 utility pole do not comply with the applicable codes or
22 local code provisions or regulations in paragraphs (6) and
23 (9). If this Act is repealed as provided in Section 90,
24 renewals of permits shall be subject to the applicable
25 authority code provisions or regulations in effect at the
26 time of renewal.

1 (14) An authority may not prohibit, either expressly
2 or de facto, the (i) filing, receiving, or processing
3 applications, or (ii) issuing of permits or other
4 approvals, if any, for the collocation of small wireless
5 facilities unless there has been a local, State, or
6 federal disaster declaration or similar emergency that
7 causes the delay.

8 (15) Applicants shall submit applications, supporting
9 information, and notices by personal delivery or as
10 otherwise required by the authority. An authority may
11 require that permits, supporting information, and notices
12 be submitted by personal delivery at the authority's
13 designated place of business, by regular mail postmarked
14 on the date due, or by any other commonly used means,
15 including electronic mail, as required by the authority.

16 (e) Application fees are subject to the following
17 requirements:

18 (1) An authority may charge an application fee of up
19 to \$650 for an application to collocate a single small
20 wireless facility on an existing utility pole or wireless
21 support structure and up to \$350 for each small wireless
22 facility addressed in an application to collocate more
23 than one small wireless facility on existing utility poles
24 or wireless support structures.

25 (2) An authority may charge an application fee of
26 \$1,000 for each small wireless facility addressed in an

1 application that includes the installation of a new
2 utility for such collocation.

3 (3) Notwithstanding any contrary provision of State
4 law or local ordinance, applications pursuant to this
5 Section must be accompanied by the required application
6 fee.

7 (4) Within 2 months after the effective date of this
8 Act, an authority shall make available application fees
9 consistent with this subsection, through ordinance, or in
10 a written schedule of permit fees adopted by the
11 authority.

12 (f) An authority shall not require an application,
13 approval, or permit, or require any fees or other charges,
14 from a communications service provider authorized to occupy
15 the rights-of-way, for: (i) routine maintenance; (ii) the
16 replacement of wireless facilities with wireless facilities
17 that are substantially similar, the same size, or smaller if
18 the wireless provider notifies the authority at least 10 days
19 prior to the planned replacement and includes equipment
20 specifications for the replacement of equipment consistent
21 with the requirements of subparagraph (D) of paragraph (2) of
22 subsection (d) of this Section; or (iii) the installation,
23 placement, maintenance, operation, or replacement of micro
24 wireless facilities that are suspended on cables that are
25 strung between existing utility poles in compliance with
26 applicable safety codes. However, an authority may require a

1 permit to work within rights-of-way for activities that affect
2 traffic patterns or require lane closures.

3 (g) Nothing in this Act authorizes a person to collocate
4 small wireless facilities on: (1) property owned by a private
5 party or property owned or controlled by a unit of local
6 government that is not located within rights-of-way, subject
7 to subsection (j) of this Section, or a privately owned
8 utility pole or wireless support structure without the consent
9 of the property owner; (2) property owned, leased, or
10 controlled by a park district, forest preserve district, or
11 conservation district for public park, recreation, or
12 conservation purposes without the consent of the affected
13 district, excluding the placement of facilities on
14 rights-of-way located in an affected district that are under
15 the jurisdiction and control of a different unit of local
16 government as provided by the Illinois Highway Code; or (3)
17 property owned by a rail carrier registered under Section
18 18c-7201 of the Illinois Vehicle Code, Metra Commuter Rail or
19 any other public commuter rail service, or an electric utility
20 as defined in Section 16-102 of the Public Utilities Act,
21 without the consent of the rail carrier, public commuter rail
22 service, or electric utility. The provisions of this Act do
23 not apply to an electric or gas public utility or such
24 utility's wireless facilities if the facilities are being
25 used, developed, and maintained consistent with the provisions
26 of subsection (i) of Section 16-108.5 of the Public Utilities

1 Act.

2 For the purposes of this subsection, "public utility" has
3 the meaning given to that term in Section 3-105 of the Public
4 Utilities Act. Nothing in this Act shall be construed to
5 relieve any person from any requirement (1) to obtain a
6 franchise or a State-issued authorization to offer cable
7 service or video service or (2) to obtain any required
8 permission to install, place, maintain, or operate
9 communications facilities, other than small wireless
10 facilities subject to this Act.

11 (h) Agreements between authorities and wireless providers
12 that relate to the collocation of small wireless facilities in
13 the right-of-way, including the collocation of small wireless
14 facilities on authority utility poles, that are in effect on
15 the effective date of this Act remain in effect for all small
16 wireless facilities collocated on the authority's utility
17 poles pursuant to applications submitted to the authority
18 before the effective date of this Act, subject to applicable
19 termination provisions. Such agreements entered into after the
20 effective date of the Act shall comply with the Act.

21 (i) An authority shall allow the collocation of small
22 wireless facilities on authority utility poles subject to the
23 following:

24 (1) An authority may not enter into an exclusive
25 arrangement with any person for the right to attach small
26 wireless facilities to authority utility poles.

1 (2) The rates and fees for collocations on authority
2 utility poles shall be nondiscriminatory regardless of the
3 services provided by the collocating person.

4 (3) An authority may charge an annual recurring rate
5 to collocate a small wireless facility on an authority
6 utility pole located in a right-of-way that equals (i)
7 \$200 per year or (ii) the actual, direct, and reasonable
8 costs related to the wireless provider's use of space on
9 the authority utility pole. Rates for collocation on
10 authority utility poles located outside of a right-of-way
11 are not subject to these limitations. In any controversy
12 concerning the appropriateness of a cost-based rate for an
13 authority utility pole located within a right-of-way, the
14 authority shall have the burden of proving that the rate
15 does not exceed the actual, direct, and reasonable costs
16 for the applicant's proposed use of the authority utility
17 pole. Nothing in this paragraph (3) prohibits a wireless
18 provider and an authority from mutually agreeing to an
19 annual recurring rate of less than \$200 to collocate a
20 small wireless facility on an authority utility pole.

21 (4) Authorities or other persons owning or controlling
22 authority utility poles within the right-of-way shall
23 offer rates, fees, and other terms that comply with
24 subparagraphs (A) through (E) of this paragraph (4).
25 Within 2 months after the effective date of this Act, an
26 authority or a person owning or controlling authority

1 utility poles shall make available, through ordinance or
2 an authority utility pole attachment agreement, license or
3 other agreement that makes available to wireless
4 providers, the rates, fees, and terms for the collocation
5 of small wireless facilities on authority utility poles
6 that comply with this Act and with subparagraphs (A)
7 through (E) of this paragraph (4). In the absence of such
8 an ordinance or agreement that complies with this Act, and
9 until such a compliant ordinance or agreement is adopted,
10 wireless providers may collocate small wireless facilities
11 and install utility poles under the requirements of this
12 Act.

13 (A) The rates, fees, and terms must be
14 nondiscriminatory, competitively neutral, and
15 commercially reasonable, and may address, among other
16 requirements, the requirements in subparagraphs (A)
17 through (I) of paragraph (6) of subsection (d) of this
18 Section; subsections (e), (i), and (k) of this
19 Section; Section 30; and Section 35, and must comply
20 with this Act.

21 (B) For authority utility poles that support
22 aerial facilities used to provide communications
23 services or electric service, wireless providers shall
24 comply with the process for make-ready work under 47
25 U.S.C. 224 and its implementing regulations, and the
26 authority shall follow a substantially similar process

1 for make-ready work except to the extent that the
2 timing requirements are otherwise addressed in this
3 Act. The good-faith estimate of the person owning or
4 controlling the authority utility pole for any
5 make-ready work necessary to enable the pole to
6 support the requested collocation shall include
7 authority utility pole replacement, if necessary.

8 (C) For authority utility poles that do not
9 support aerial facilities used to provide
10 communications services or electric service, the
11 authority shall provide a good-faith estimate for any
12 make-ready work necessary to enable the authority
13 utility pole to support the requested collocation,
14 including pole replacement, if necessary, within 90
15 days after receipt of a complete application.
16 Make-ready work, including any authority utility pole
17 replacement, shall be completed within 60 days of
18 written acceptance of the good-faith estimate by the
19 applicant at the wireless provider's sole cost and
20 expense. Alternatively, if the authority determines
21 that applicable codes or public safety regulations
22 require the authority utility pole to be replaced to
23 support the requested collocation, the authority may
24 require the wireless provider to replace the authority
25 utility pole at the wireless provider's sole cost and
26 expense.

1 (D) The authority shall not require more
2 make-ready work than required to meet applicable codes
3 or industry standards. Make-ready work may include
4 work needed to accommodate additional public safety
5 communications needs that are identified in a
6 documented and approved plan for the deployment of
7 public safety equipment as specified in paragraph (1)
8 of subsection (d) of this Section and included in an
9 existing or preliminary authority or public service
10 agency budget for attachment within one year of the
11 application. Fees for make-ready work, including any
12 authority utility pole replacement, shall not exceed
13 actual costs or the amount charged to communications
14 service providers for similar work and shall not
15 include any consultants' fees or expenses for
16 authority utility poles that do not support aerial
17 facilities used to provide communications services or
18 electric service. Make-ready work, including any pole
19 replacement, shall be completed within 60 days of
20 written acceptance of the good-faith estimate by the
21 wireless provider, at its sole cost and expense.

22 (E) A wireless provider that has an existing
23 agreement with the authority on the effective date of
24 the Act may accept the rates, fees, and terms that an
25 authority makes available under this Act for the
26 collocation of small wireless facilities or the

1 installation of new utility poles for the collocation
2 of small wireless facilities that are the subject of
3 an application submitted 2 or more years after the
4 effective date of the Act as provided in this
5 paragraph (4) by notifying the authority that it opts
6 to accept such rates, fees, and terms. The existing
7 agreement remains in effect, subject to applicable
8 termination provisions, for the small wireless
9 facilities the wireless provider has collocated on the
10 authority's utility poles pursuant to applications
11 submitted to the authority before the wireless
12 provider provides such notice and exercises its option
13 under this subparagraph.

14 (j) An authority shall authorize the collocation of small
15 wireless facilities on utility poles owned or controlled by
16 the authority that are not located within rights-of-way to the
17 same extent the authority currently permits access to utility
18 poles for other commercial projects or uses. The collocations
19 shall be subject to reasonable and nondiscriminatory rates,
20 fees, and terms as provided in an agreement between the
21 authority and the wireless provider.

22 (k) Nothing in this Section precludes an authority from
23 adopting reasonable rules with respect to the removal of
24 abandoned small wireless facilities. A small wireless facility
25 that is not operated for a continuous period of 12 months shall
26 be considered abandoned and the owner of the facility must

1 remove the small wireless facility within 90 days after
2 receipt of written notice from the authority notifying the
3 owner of the abandonment. The notice shall be sent by
4 certified or registered mail, return receipt requested, by the
5 authority to the owner at the last known address of the owner.
6 If the small wireless facility is not removed within 90 days of
7 such notice, the authority may remove or cause the removal of
8 the ~~such~~ facility pursuant to the terms of its pole attachment
9 agreement for authority utility poles or through whatever
10 actions are provided for abatement of nuisances or by other
11 law for removal and cost recovery. An authority may require a
12 wireless provider to provide written notice to the authority
13 if it sells or transfers small wireless facilities subject to
14 this Act within the jurisdictional boundary of the authority.
15 Such notice shall include the name and contact information of
16 the new wireless provider.

17 (1) Nothing in this Section requires an authority to
18 install or maintain any specific utility pole or to continue
19 to install or maintain utility poles in any location if the
20 authority makes a non-discriminatory decision to eliminate
21 above-ground utility poles of a particular type generally,
22 such as electric utility poles, in all or a significant
23 portion of its geographic jurisdiction. For authority utility
24 poles with collocated small wireless facilities in place when
25 an authority makes a decision to eliminate above-ground
26 utility poles of a particular type generally, the authority

1 shall either (i) continue to maintain the authority utility
2 pole or install and maintain a reasonable alternative utility
3 pole or wireless support structure for the collocation of the
4 small wireless facility, or (ii) offer to sell the utility
5 pole to the wireless provider at a reasonable cost or allow the
6 wireless provider to install its own utility pole so it can
7 maintain service from that location.

8 (Source: P.A. 100-585, eff. 6-1-18.)

9 (50 ILCS 840/45 new)

10 Sec. 45. Continuation of Act; validation.

11 (a) The General Assembly finds and declares that this
12 amendatory Act of the 102nd General Assembly manifests the
13 intention of the General Assembly to extend the repeal of this
14 Act and have this Act continue in effect until December 31,
15 2024.

16 (b) This Section shall be deemed to have been in
17 continuous effect since June 1, 2021 and it shall continue to
18 be in effect henceforward until it is otherwise lawfully
19 repealed. All previously enacted amendments to this Act taking
20 effect on or after June 1, 2021, are hereby validated. All
21 actions taken in reliance on or under this Act by any person or
22 entity are hereby validated.

23 (c) In order to ensure the continuing effectiveness of
24 this Act, it is set forth in full and reenacted by this
25 amendatory Act of the 102nd General Assembly. Striking and

1 underscoring are used only to show changes being made to the
2 base text. This reenactment is intended as a continuation of
3 this Act. It is not intended to supersede any amendment to this
4 Act that is enacted by the 102nd General Assembly.

5 (50 ILCS 840/90) (was 50 ILCS 835/90)

6 (Section scheduled to be repealed on June 1, 2021)

7 Sec. 90. Repeal. This Act is repealed on December 31, 2024
8 ~~June 1, 2021.~~

9 (Source: P.A. 100-585, eff. 6-1-18.)

10 Section 30. The Illinois Municipal Code is amended by
11 adding Section 11-80-24 as follows:

12 (65 ILCS 5/11-80-24 new)

13 Sec. 11-80-24. Collocation of small wireless facilities.

14 (a) A municipality may propose that a small wireless
15 facility be collocated on an existing utility pole within 200
16 feet of the wireless providers proposed location within its
17 public rights-of-way under paragraph (3) of subsection (d) of
18 Section 15 of the Small Wireless Facilities Deployment Act and
19 the entity owning the utility pole shall provide access for
20 that purpose.

21 (b) Any fee charged for the use of a utility pole under
22 this Section shall be at the lowest rate charged by the entity
23 owning the utility pole for other wireless providers and shall

1 not exceed the entity's actual costs.

2 (c) Nothing in this Section alters anything in Section 15
3 of the Small Wireless Facilities Deployment Act.

4 Section 35. The Public Utilities Act is amended by
5 changing Sections 13-406, 13-1200, 21-401, and 21-1601 as
6 follows:

7 (220 ILCS 5/13-406) (from Ch. 111 2/3, par. 13-406)

8 (Section scheduled to be repealed on December 31, 2021)

9 Sec. 13-406. Abandonment of service.

10 (a) No telecommunications carrier offering or providing
11 noncompetitive telecommunications service pursuant to a valid
12 Certificate of Service Authority or certificate of public
13 convenience and necessity shall discontinue or abandon such
14 service once initiated until and unless it shall demonstrate,
15 and the Commission finds, after notice and hearing, that such
16 discontinuance or abandonment will not deprive customers of
17 any necessary or essential telecommunications service or
18 access thereto and is not otherwise contrary to the public
19 interest. No telecommunications carrier offering or providing
20 competitive telecommunications service shall completely
21 discontinue or abandon such service to an identifiable class
22 or group of customers once initiated except upon 60 days' ~~days~~
23 notice to the Commission and affected customers. The
24 Commission may, upon its own motion or upon complaint,

1 investigate the proposed discontinuance or abandonment of a
2 competitive telecommunications service and may, after notice
3 and hearing, prohibit such proposed discontinuance or
4 abandonment if the Commission finds that it would be contrary
5 to the public interest. If the Commission does not provide
6 notice of a hearing within 60 calendar days after the
7 notification or holds a hearing and fails to find that the
8 proposed discontinuation or abandonment would be contrary to
9 the public interest, the provider may discontinue or abandon
10 such service after providing at least 30 days' ~~days~~ notice to
11 affected customers. This Section does not apply to a Large
12 Electing Provider proceeding under Section 13-406.1.

13 (b) A Small Electing Provider may choose to cease offering
14 or providing a telecommunications service pursuant to either
15 this Section or Section 13-406.1 of this Act in the same manner
16 as a Large Electing Provider. A Small Electing Provider that
17 elects to cease offering or providing a telecommunications
18 service pursuant to Section 13-406.1 shall be subject to all
19 of the provisions that apply to a Large Electing Provider
20 under Section 13-406.1. In this subsection (b), "Small
21 Electing Provider" means an incumbent local exchange carrier,
22 as defined in Section 13-202.5 of this Act, that is an Electing
23 Provider, as defined in Section 13-506.2 of this Act, and
24 that, together with all of its incumbent local exchange
25 carrier affiliates offering telecommunications services within
26 the State of Illinois, has fewer than 40,000 subscriber access

1 lines as of January 1, 2020.

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

3 (220 ILCS 5/13-1200)

4 (Section scheduled to be repealed on December 31, 2021)

5 Sec. 13-1200. Repealer. This Article is repealed December
6 31, 2026 ~~2021~~.

7 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

8 (220 ILCS 5/21-401)

9 (Section scheduled to be repealed on December 31, 2021)

10 Sec. 21-401. Applications.

11 (a) (1) A person or entity seeking to provide cable service
12 or video service pursuant to this Article shall not use the
13 public rights-of-way for the installation or construction of
14 facilities for the provision of cable service or video service
15 or offer cable service or video service until it has obtained a
16 State-issued authorization to offer or provide cable or video
17 service under this Section, except as provided for in item (2)
18 of this subsection (a). All cable or video providers offering
19 or providing service in this State shall have authorization
20 pursuant to either (i) the Cable and Video Competition Law of
21 2007 (220 ILCS 5/21-100 et seq.); (ii) Section 11-42-11 of the
22 Illinois Municipal Code (65 ILCS 5/11-42-11); or (iii) Section
23 5-1095 of the Counties Code (55 ILCS 5/5-1095).

24 (2) Nothing in this Section shall prohibit a local unit of

1 government from granting a permit to a person or entity for the
2 use of the public rights-of-way to install or construct
3 facilities to provide cable service or video service, at its
4 sole discretion. No unit of local government shall be liable
5 for denial or delay of a permit prior to the issuance of a
6 State-issued authorization.

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

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

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

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

19 (4) An exact description of the cable service or video
20 service area where the cable service or video service will
21 be offered during the term of the State-issued
22 authorization. The service area shall be identified in
23 terms of either (i) exchanges, as that term is defined in
24 Section 13-206 of this Act; (ii) a collection of United
25 States Census Bureau Block numbers (13 digit); (iii) if
26 the area is smaller than the areas identified in either

1 (i) or (ii), by geographic information system digital
2 boundaries meeting or exceeding national map accuracy
3 standards; or (iv) local unit of government. The
4 description shall include the number of low-income
5 households within the service area or footprint. If an
6 applicant is an incumbent cable operator, the incumbent
7 cable operator and any successor-in-interest shall be
8 obligated to provide access to cable services or video
9 services within any local units of government at the same
10 levels required by the local franchising authorities for
11 the local unit of government on June 30, 2007 (the
12 effective date of Public Act 95-9), and its application
13 shall provide a description of an area no smaller than the
14 service areas contained in its franchise or franchises
15 within the jurisdiction of the local unit of government in
16 which it seeks to offer cable or video service.

17 (5) The location and telephone number of the
18 applicant's principal place of business within this State
19 and the names of the applicant's principal executive
20 officers who are responsible for communications concerning
21 the application and the services to be offered pursuant to
22 the application, the applicant's legal name, and any name
23 or names under which the applicant does or will provide
24 cable services or video services in this State.

25 (6) A certification that the applicant has
26 concurrently delivered a copy of the application to all

1 local units of government that include all or any part of
2 the service area identified in item (4) of this subsection
3 (b) within such local unit of government's jurisdictional
4 boundaries.

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

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

24 The application shall include adequate assurance that the
25 applicant possesses the financial, managerial, legal, and
26 technical qualifications necessary to construct and operate

1 the proposed system, to promptly repair any damage to the
2 public right-of-way caused by the applicant, and to pay the
3 cost of removal of its facilities. To accomplish these
4 requirements, the applicant may, at the time the applicant
5 seeks to use the public rights-of-way in that jurisdiction, be
6 required by the State of Illinois or later be required by the
7 local unit of government, or both, to post a bond, produce a
8 certificate of insurance, or otherwise demonstrate its
9 financial responsibility.

10 The application shall include the applicant's general
11 standards related to customer service required by Section
12 22-501 of this Act, which shall include, but not be limited to,
13 installation, disconnection, service and repair obligations;
14 appointment hours; employee ID requirements; customer service
15 telephone numbers and hours; procedures for billing, charges,
16 deposits, refunds, and credits; procedures for termination of
17 service; notice of deletion of programming service and changes
18 related to transmission of programming or changes or increases
19 in rates; use and availability of parental control or lock-out
20 devices; complaint procedures and procedures for bill dispute
21 resolution and a description of the rights and remedies
22 available to consumers if the holder does not materially meet
23 their customer service standards; and special services for
24 customers with visual, hearing, or mobility disabilities.

25 (c)(1) The applicant may designate information that it
26 submits in its application or subsequent reports as

1 confidential or proprietary, provided that the applicant
2 states the reasons the confidential designation is necessary.
3 The Commission shall provide adequate protection for such
4 information pursuant to Section 4-404 of this Act. If the
5 Commission, a local unit of government, or any other party
6 seeks public disclosure of information designated as
7 confidential, the Commission shall consider the confidential
8 designation in a proceeding under the Illinois Administrative
9 Procedure Act, and the burden of proof to demonstrate that the
10 designated information is confidential shall be upon the
11 applicant. Designated information shall remain confidential
12 pending the Commission's determination of whether the
13 information is entitled to confidential treatment. Information
14 designated as confidential shall be provided to local units of
15 government for purposes of assessing compliance with this
16 Article as permitted under a Protective Order issued by the
17 Commission pursuant to the Commission's rules and to the
18 Attorney General pursuant to Section 6.5 of the Attorney
19 General Act (15 ILCS 205/6.5). Information designated as
20 confidential under this Section or determined to be
21 confidential upon Commission review shall only be disclosed
22 pursuant to a valid and enforceable subpoena or court order or
23 as required by the Freedom of Information Act. Nothing herein
24 shall delay the application approval timeframes set forth in
25 this Article.

26 (2) Information regarding the location of video services

1 that have been or are being offered to the public and aggregate
2 information included in the reports required by this Article
3 shall not be designated or treated as confidential.

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

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

23 (e) Any authorization issued by the Commission will expire
24 on December 31, 2029 ~~2024~~ and shall contain or include all of
25 the following:

26 (1) A grant of authority, including an authorization

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

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

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

19 (e-5) The Commission shall notify a local unit of
20 government within 3 business days of the grant of any
21 authorization within a service area footprint if that
22 authorization includes any part of the local unit of
23 government's jurisdictional boundaries and state whether the
24 holder will be providing video service or cable service under
25 the authorization.

26 (f) The authorization issued pursuant to this Section by

1 the Commission may be transferred to any successor-in-interest
2 to the applicant to which it is initially granted without
3 further Commission action if the successor-in-interest (i)
4 submits an application and the information required by
5 subsection (b) of this Section for the successor-in-interest
6 and (ii) is not in violation of this Article or of any federal,
7 State, or local law, ordinance, rule, or regulation. A
8 successor-in-interest shall file its application and notice of
9 transfer with the Commission and the relevant local units of
10 government no less than 15 business days prior to the
11 completion of the transfer. The Commission is not required or
12 authorized to act upon the notice of transfer; however, the
13 transfer is not effective until the Commission approves the
14 successor-in-interest's application. A local unit of
15 government or the Attorney General may seek to bar a transfer
16 of ownership by filing suit in a court of competent
17 jurisdiction predicated on the existence of a material and
18 continuing breach of this Article by the holder, a pattern of
19 noncompliance with customer service standards by the potential
20 successor-in-interest, or the insolvency of the potential
21 successor-in-interest. If a transfer is made when there are
22 violations of this Article or of any federal, State, or local
23 law, ordinance, rule, or regulation, the successor-in-interest
24 shall be subject to 3 times the penalties provided for in this
25 Article.

26 (g) The authorization issued pursuant to this Section by

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

17 (h) The Commission's authority to administer this Article
18 is limited to the powers and duties explicitly provided under
19 this Article. Its authority under this Article does not
20 include or limit the powers and duties that the Commission has
21 under the other Articles of this Act, the Illinois
22 Administrative Procedure Act, or any other law or regulation
23 to conduct proceedings, other than as provided in subsection
24 (c), or has to promulgate rules or regulations. The Commission
25 shall not have the authority to limit or expand the
26 obligations and requirements provided in this Section or to

1 regulate or control a person or entity to the extent that
2 person or entity is providing cable service or video service,
3 except as provided in this Article.

4 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

5 (220 ILCS 5/21-1601)

6 Sec. 21-1601. Repealer. Sections 21-101 through 21-1501 of
7 this Article are repealed December 31, 2026 ~~2021~~.

8 (Source: P.A. 100-20, eff. 7-1-17; 101-639, eff. 6-12-20.)

9 Section 40. The Prevailing Wage Act is amended by changing
10 Section 2 and by adding Section 2.1 as follows:

11 (820 ILCS 130/2) (from Ch. 48, par. 39s-2)

12 Sec. 2. This Act applies to the wages of laborers,
13 mechanics and other workers employed in any public works, as
14 hereinafter defined, by any public body and to anyone under
15 contracts for public works. This includes any maintenance,
16 repair, assembly, or disassembly work performed on equipment
17 whether owned, leased, or rented.

18 As used in this Act, unless the context indicates
19 otherwise:

20 "Public works" means all fixed works constructed or
21 demolished by any public body, or paid for wholly or in part
22 out of public funds. "Public works" as defined herein includes
23 all projects financed in whole or in part with bonds, grants,

1 loans, or other funds made available by or through the State or
2 any of its political subdivisions, including but not limited
3 to: bonds issued under the Industrial Project Revenue Bond Act
4 (Article 11, Division 74 of the Illinois Municipal Code), the
5 Industrial Building Revenue Bond Act, the Illinois Finance
6 Authority Act, the Illinois Sports Facilities Authority Act,
7 or the Build Illinois Bond Act; loans or other funds made
8 available pursuant to the Build Illinois Act; loans or other
9 funds made available pursuant to the Riverfront Development
10 Fund under Section 10-15 of the River Edge Redevelopment Zone
11 Act; or funds from the Fund for Illinois' Future under Section
12 6z-47 of the State Finance Act, funds for school construction
13 under Section 5 of the General Obligation Bond Act, funds
14 authorized under Section 3 of the School Construction Bond
15 Act, funds for school infrastructure under Section 6z-45 of
16 the State Finance Act, and funds for transportation purposes
17 under Section 4 of the General Obligation Bond Act. "Public
18 works" also includes (i) all projects financed in whole or in
19 part with funds from the Department of Commerce and Economic
20 Opportunity under the Illinois Renewable Fuels Development
21 Program Act for which there is no project labor agreement;
22 (ii) all work performed pursuant to a public private agreement
23 under the Public Private Agreements for the Illiana Expressway
24 Act or the Public-Private Agreements for the South Suburban
25 Airport Act; and (iii) all projects undertaken under a
26 public-private agreement under the Public-Private Partnerships

1 for Transportation Act. "Public works" also includes all
2 projects at leased facility property used for airport purposes
3 under Section 35 of the Local Government Facility Lease Act.
4 "Public works" also includes the construction of a new wind
5 power facility by a business designated as a High Impact
6 Business under Section 5.5(a)(3)(E) of the Illinois Enterprise
7 Zone Act. "Public works" does not include work done directly
8 by any public utility company, whether or not done under
9 public supervision or direction, or paid for wholly or in part
10 out of public funds. "Public works" also includes construction
11 projects performed by a third party contracted by any public
12 utility, as described in subsection (a) of Section 2.1, in
13 public rights-of-way, as defined in Section 21-201 of the
14 Public Utilities Act, whether or not done under public
15 supervision or direction, or paid for wholly or in part out of
16 public funds. "Public works" also includes construction
17 projects that exceed 15 aggregate miles of new fiber optic
18 cable, performed by a third party contracted by any public
19 utility, as described in subsection (b) of Section 2.1, in
20 public rights-of-way, as defined in Section 21-201 of the
21 Public Utilities Act, whether or not done under public
22 supervision or direction, or paid for wholly or in part out of
23 public funds. "Public works" also includes any corrective
24 action performed pursuant to Title XVI of the Environmental
25 Protection Act for which payment from the Underground Storage
26 Tank Fund is requested. "Public works" does not include

1 projects undertaken by the owner at an owner-occupied
2 single-family residence or at an owner-occupied unit of a
3 multi-family residence. "Public works" does not include work
4 performed for soil and water conservation purposes on
5 agricultural lands, whether or not done under public
6 supervision or paid for wholly or in part out of public funds,
7 done directly by an owner or person who has legal control of
8 those lands.

9 "Construction" means all work on public works involving
10 laborers, workers or mechanics. This includes any maintenance,
11 repair, assembly, or disassembly work performed on equipment
12 whether owned, leased, or rented.

13 "Locality" means the county where the physical work upon
14 public works is performed, except (1) that if there is not
15 available in the county a sufficient number of competent
16 skilled laborers, workers and mechanics to construct the
17 public works efficiently and properly, "locality" includes any
18 other county nearest the one in which the work or construction
19 is to be performed and from which such persons may be obtained
20 in sufficient numbers to perform the work and (2) that, with
21 respect to contracts for highway work with the Department of
22 Transportation of this State, "locality" may at the discretion
23 of the Secretary of the Department of Transportation be
24 construed to include two or more adjacent counties from which
25 workers may be accessible for work on such construction.

26 "Public body" means the State or any officer, board or

1 commission of the State or any political subdivision or
2 department thereof, or any institution supported in whole or
3 in part by public funds, and includes every county, city,
4 town, village, township, school district, irrigation, utility,
5 reclamation improvement or other district and every other
6 political subdivision, district or municipality of the state
7 whether such political subdivision, municipality or district
8 operates under a special charter or not.

9 "Labor organization" means an organization that is the
10 exclusive representative of an employer's employees recognized
11 or certified pursuant to the National Labor Relations Act.

12 The terms "general prevailing rate of hourly wages",
13 "general prevailing rate of wages" or "prevailing rate of
14 wages" when used in this Act mean the hourly cash wages plus
15 annualized fringe benefits for training and apprenticeship
16 programs approved by the U.S. Department of Labor, Bureau of
17 Apprenticeship and Training, health and welfare, insurance,
18 vacations and pensions paid generally, in the locality in
19 which the work is being performed, to employees engaged in
20 work of a similar character on public works.

21 (Source: P.A. 100-1177, eff. 6-1-19.)

22 (820 ILCS 130/2.1 new)

23 Sec. 2.1. Public utilities.

24 (a) For purposes of this Act, to the extent permitted by
25 and consistent with federal law, "public utility" has the

1 meaning given that term in Section 3-105 of the Public
2 Utilities Act.

3 (b) For purposes of this Act, "public utility" also
4 includes:

5 (1) telecommunications carriers, as defined in Section
6 13-202 of the Public Utilities Act, but not including
7 incumbent local exchange carriers that serve fewer than
8 20,000 access lines;

9 (2) providers of cable service or video service, as
10 defined in Section 21-201 of the Public Utilities Act;

11 (3) providers of wireless services, including, but not
12 limited to, private radio service, public mobile service,
13 or commercial mobile service within the meaning of Section
14 332 of the federal Communications Act of 1934 (47 U.S.C.
15 332);

16 (4) interconnected voice over Internet protocol
17 providers as defined in Section 13-235 of the Public
18 Utilities Act;

19 (5) providers of broadband service, as defined in
20 Section 21-201 of the Public Utilities Act; and

21 (6) persons or entities engaged in the installation,
22 repair, or maintenance of fiber optic cable that is or
23 will be used by persons described in paragraphs (1)
24 through (5) of this subsection.

25 Section 97. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law, except that Section 40 takes effect on January
4 1, 2022.".