



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5752

Introduced 11/16/2022, by Rep. Cyril Nichols

SYNOPSIS AS INTRODUCED:

5 ILCS 410/10	
5 ILCS 410/15	
20 ILCS 50/5	
20 ILCS 65/20-15	
20 ILCS 105/3.10	
20 ILCS 301/5-10	
20 ILCS 607/3-10	
20 ILCS 1305/1-70	
20 ILCS 2310/2310-215	was 20 ILCS 2310/55.62
20 ILCS 2630/4.5	
30 ILCS 575/2	
30 ILCS 577/35-5	
30 ILCS 785/5	
70 ILCS 210/23.1	from Ch. 85, par. 1243.1
105 ILCS 5/27-21	from Ch. 122, par. 27-21
105 ILCS 5/34-18	from Ch. 122, par. 34-18
110 ILCS 205/9.16	from Ch. 144, par. 189.16
110 ILCS 925/3.07	from Ch. 144, par. 1503.07
110 ILCS 930/2	from Ch. 144, par. 2302
110 ILCS 947/50	
110 ILCS 947/65.30	
110 ILCS 947/65.110	
215 ILCS 5/500-50	
305 ILCS 5/4-23	
305 ILCS 5/12-4.48	
505 ILCS 72/10	
625 ILCS 5/11-212	
720 ILCS 5/17-10.2	was 720 ILCS 5/17-29
775 ILCS 5/2-105	from Ch. 68, par. 2-105
805 ILCS 5/8.12	

Amends various Acts to add Arab persons to provisions referencing or defining minority groups and ethnicities.

LRB102 26826 RPS 37837 b

1 AN ACT concerning government.

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

4 Section 5. The State Employment Records Act is amended by
5 changing Sections 10 and 15 as follows:

6 (5 ILCS 410/10)

7 Sec. 10. Definitions. As used in this Act:

8 (a) "Agency work force" means those persons employed by a
9 State agency who are part of the State work force.

10 (b) "Contractual services employee" means a person
11 employed by the State, or a State supported institution of
12 higher education, under a written contract and paid by a State
13 system CO-2 voucher (or its administrative equivalent) whose
14 daily duties and responsibilities are directly or indirectly
15 supervised or managed by a person paid by a payroll warrant (or
16 its administrative equivalent) funded by State funds or pass
17 through funds.

18 (c) "Agency" or "State agency" means those entities
19 included in the definition of "State agencies" in the Illinois
20 State Auditing Act.

21 (d) "Minority" means a person who is any of the following:

22 (1) American Indian or Alaska Native (a person having
23 origins in any of the original peoples of North and South

1 America, including Central America, and who maintains
2 tribal affiliation or community attachment).

3 (2) Asian (a person having origins in any of the
4 original peoples of the Far East, Southeast Asia, or the
5 Indian subcontinent, including, but not limited to,
6 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
7 the Philippine Islands, Thailand, and Vietnam).

8 (3) Black or African American (a person having origins
9 in any of the black racial groups of Africa).

10 (4) Hispanic or Latino (a person of Cuban, Mexican,
11 Puerto Rican, South or Central American, or other Spanish
12 culture or origin, regardless of race).

13 (5) Native Hawaiian or Other Pacific Islander (a
14 person having origins in any of the original peoples of
15 Hawaii, Guam, Samoa, or other Pacific Islands).

16 (6) Arab (a person having origins in any of the
17 original peoples of Saudi Arabia, United Arab Emirates,
18 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
19 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
20 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

21 (e) "Professional employee" means a person employed to
22 perform employment duties requiring academic training,
23 evidenced by a graduate or advanced degree from an accredited
24 institution of higher education, and who, in the performance
25 of those employment duties, may only engage in active practice
26 of the academic training received when licensed or certified

1 by the State of Illinois.

2 (f) "State employee" means any person employed within the
3 State work force.

4 (g) "State work force" means all persons employed by the
5 State of Illinois as evidenced by:

6 (1) the total number of all payroll warrants (or their
7 administrative equivalent) issued by the Comptroller to
8 pay:

9 (i) persons subject to the Personnel Code; and

10 (ii) for the sole purpose of providing accurate
11 statistical information, all persons exempt from the
12 Personnel Code; and

13 (2) the total number of payroll warrants (or their
14 administrative equivalent) funded by State appropriation
15 which are issued by educational institutions governed by
16 the Board of Trustees of the University of Illinois, the
17 Board of Trustees of Southern Illinois University, the
18 Board of Governors of State Colleges and Universities, and
19 the Board of Regents; and

20 (3) the total number of contractual payroll system
21 CO-2 vouchers (or their administrative equivalent) funded
22 by State revenues and issued by:

23 (i) the State Comptroller; and

24 (ii) the issuing agents of the educational
25 institutions listed in subdivision (2) of this
26 subsection (g).

1 "State work force" does not, however, include persons holding
2 elective State office.

3 (Source: P.A. 102-465, eff. 1-1-22.)

4 (5 ILCS 410/15)

5 Sec. 15. Reported information.

6 (a) State agencies shall, if necessary, consult with the
7 Office of the Comptroller and the Governor's Office of
8 Management and Budget to confirm the accuracy of information
9 required by this Act. State agencies shall collect and
10 maintain information and publish reports including but not
11 limited to the following information arranged in the indicated
12 categories:

13 (i) the total number of persons employed by the agency
14 who are part of the State work force, as defined by this
15 Act, and the number and statistical percentage of women,
16 minorities, and persons with physical disabilities
17 employed within the agency work force;

18 (ii) the total number of persons employed within the
19 agency work force receiving levels of State remuneration
20 within incremental levels of \$10,000, and the number and
21 statistical percentage of minorities, women, and persons
22 with physical disabilities in the agency work force
23 receiving levels of State remuneration within incremented
24 levels of \$10,000;

25 (iii) the number of open positions of employment or

1 advancement in the agency work force, reported on a fiscal
2 year basis;

3 (iv) the number and percentage of open positions of
4 employment or advancement in the agency work force filled
5 by minorities, women, and persons with physical
6 disabilities, reported on a fiscal year basis;

7 (v) the total number of persons employed within the
8 agency work force as professionals, and the number and
9 percentage of minorities, women, and persons with physical
10 disabilities employed within the agency work force as
11 professional employees; and

12 (vi) the total number of persons employed within the
13 agency work force as contractual service employees, and
14 the number and percentage of minorities, women, and
15 persons with physical disabilities employed within the
16 agency work force as contractual services employees.

17 (b) The numbers and percentages of minorities required to
18 be reported by this Section shall be identified by the
19 following categories:

20 (1) American Indian or Alaska Native (a person having
21 origins in any of the original peoples of North and South
22 America, including Central America, and who maintains
23 tribal affiliation or community attachment).

24 (2) Asian (a person having origins in any of the
25 original peoples of the Far East, Southeast Asia, or the
26 Indian subcontinent, including, but not limited to,

1 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
2 the Philippine Islands, Thailand, and Vietnam).

3 (3) Black or African American (a person having origins
4 in any of the black racial groups of Africa).

5 (4) Hispanic or Latino (a person of Cuban, Mexican,
6 Puerto Rican, South or Central American, or other Spanish
7 culture or origin, regardless of race).

8 (5) Native Hawaiian or Other Pacific Islander (a
9 person having origins in any of the original peoples of
10 Hawaii, Guam, Samoa, or other Pacific Islands).

11 (6) Arab (a person having origins in any of the
12 original peoples of Saudi Arabia, United Arab Emirates,
13 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
14 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
15 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

16 Data concerning women shall be reported on a minority and
17 nonminority basis. The numbers and percentages of persons with
18 physical disabilities required to be reported under this
19 Section shall be identified by categories as male and female.

20 (c) To accomplish consistent and uniform classification
21 and collection of information from each State agency, and to
22 ensure full compliance and that all required information is
23 provided, the Index Department of the Office of the Secretary
24 of State, in consultation with the Department of Human Rights,
25 the Department of Central Management Services, and the Office
26 of the Comptroller, shall develop appropriate forms to be used

1 by all State agencies subject to the reporting requirements of
2 this Act.

3 All State agencies shall make the reports required by this
4 Act using the forms developed under this subsection. The
5 reports must be certified and signed by an official of the
6 agency who is responsible for the information provided.

7 (Source: P.A. 102-465, eff. 1-1-22.)

8 Section 10. The Uniform Racial Classification Act is
9 amended by changing Section 5 as follows:

10 (20 ILCS 50/5)

11 Sec. 5. Uniform racial classification. Notwithstanding any
12 other provision of law, except as otherwise required by
13 federal law or regulation, whenever a State agency is required
14 by law to compile or report statistical data using racial or
15 ethnic classifications, that State agency shall use the
16 following classifications: (i) White; (ii) Black or African
17 American; (iii) American Indian or Alaska Native; (iv) Asian;
18 (v) Native Hawaiian or Other Pacific Islander; ~~or~~ (vi)
19 Hispanic or Latino; or (vii) Arab.

20 For the purposes of this Act, "State agency" means the
21 offices of the constitutional officers identified in Article V
22 of the Illinois Constitution, executive agencies, and
23 departments, boards, commissions, and authorities under the
24 Governor.

1 (Source: P.A. 98-982, eff. 8-18-14.)

2 Section 15. The Data Governance and Organization to
3 Support Equity and Racial Justice Act is amended by changing
4 Section 20-15 as follows:

5 (20 ILCS 65/20-15)

6 Sec. 20-15. Data Governance and Organization to Support
7 Equity and Racial Justice.

8 (a) On or before July 1, 2022 and each July 1 thereafter,
9 the Board and the Department shall report statistical data on
10 the racial, ethnic, age, sex, disability status, sexual
11 orientation, gender identity, and primary or preferred
12 language demographics of program participants for each major
13 program administered by the Board or the Department. Except as
14 provided in subsection (b), when reporting the data required
15 under this Section, the Board or the Department shall use the
16 same racial and ethnic classifications for each program, which
17 shall include, but not be limited to, the following:

18 (1) American Indian and Alaska Native alone.

19 (2) Asian alone.

20 (3) Black or African American alone.

21 (4) Hispanic or Latino of any race.

22 (5) Native Hawaiian and Other Pacific Islander alone.

23 (5.5) Arab alone.

24 (6) White alone.

1 (7) Some other race alone.

2 (8) Two or more races.

3 The Board and the Department may further define, by rule,
4 the racial and ethnic classifications, including, if
5 necessary, a classification of "No Race Specified".

6 (c) If a program administered by the Board or the
7 Department is subject to federal reporting requirements that
8 include the collection and public reporting of statistical
9 data on the racial and ethnic demographics of program
10 participants, the Department may maintain the same racial and
11 ethnic classifications used under the federal requirements if
12 such classifications differ from the classifications listed in
13 subsection (a).

14 (d) The Department of Innovation and Technology shall
15 assist the Board and the Department by establishing common
16 technological processes and procedures for the Board and the
17 Department to:

18 (1) Catalog data.

19 (2) Identify similar fields in datasets.

20 (3) Manage data requests.

21 (4) Share data.

22 (5) Collect data.

23 (6) Improve and clean data.

24 (7) Match data across the Board and Departments.

25 (8) Develop research and analytic agendas.

26 (9) Report on program participation disaggregated by

1 race and ethnicity.

2 (10) Evaluate equitable outcomes for underserved
3 populations in Illinois.

4 (11) Define common roles for data management.

5 (12) Ensure that all major programs can report
6 disaggregated data by race, ethnicity, age, sex,
7 disability status, sexual orientation, and gender
8 identity, and primary or preferred language.

9 The Board and the Department shall use the common
10 technological processes and procedures established by the
11 Department of Innovation and Technology.

12 (e) If the Board or the Department is unable to begin
13 reporting the data required by subsection (a) by July 1, 2022,
14 the Board or the Department shall state the reasons for the
15 delay under the reporting requirements.

16 (f) By no later than March 31, 2022, the Board and the
17 Department shall provide a progress report to the General
18 Assembly to disclose: (i) the programs and datasets that have
19 been cataloged for which race, ethnicity, age, sex, disability
20 status, sexual orientation, gender identity, and primary or
21 preferred language have been standardized; and (ii) to the
22 extent possible, the datasets and programs that are
23 outstanding for each agency and the datasets that are planned
24 for the upcoming year. On or before March 31, 2023, and each
25 year thereafter, the Board and Departments shall provide an
26 updated report to the General Assembly.

1 (g) By no later than October 31, 2021, the Governor's
2 Office shall provide a plan to establish processes for input
3 from the Board and the Department into processes outlined in
4 subsection (b). The plan shall incorporate ongoing efforts at
5 data interoperability within the Department and the governance
6 established to support the P-20 Longitudinal Education Data
7 System enacted by Public Act 96-107.

8 (h) Nothing in this Section shall be construed to limit
9 the rights granted to individuals or data sharing protections
10 established under existing State and federal data privacy and
11 security laws.

12 (Source: P.A. 101-654, eff. 3-8-21; 102-543, eff. 8-20-21.)

13 Section 20. The Illinois Act on the Aging is amended by
14 changing Section 3.10 as follows:

15 (20 ILCS 105/3.10)

16 Sec. 3.10. "Minority senior citizen" means any person 55
17 years of age or older for whom opportunities for employment
18 and participation in community life are unavailable or
19 severely limited and who is any of the following:

20 (1) American Indian or Alaska Native (a person having
21 origins in any of the original peoples of North and South
22 America, including Central America, and who maintains
23 tribal affiliation or community attachment).

24 (2) Asian (a person having origins in any of the

1 original peoples of the Far East, Southeast Asia, or the
2 Indian subcontinent, including, but not limited to,
3 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
4 the Philippine Islands, Thailand, and Vietnam).

5 (3) Black or African American (a person having origins
6 in any of the black racial groups of Africa).

7 (4) Hispanic or Latino (a person of Cuban, Mexican,
8 Puerto Rican, South or Central American, or other Spanish
9 culture or origin, regardless of race).

10 (5) Native Hawaiian or Other Pacific Islander (a
11 person having origins in any of the original peoples of
12 Hawaii, Guam, Samoa, or other Pacific Islands).

13 (6) Arab (a person having origins in any of the
14 original peoples of Saudi Arabia, United Arab Emirates,
15 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
16 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
17 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

18 (Source: P.A. 102-465, eff. 1-1-22.)

19 Section 25. The Substance Use Disorder Act is amended by
20 changing Section 5-10 as follows:

21 (20 ILCS 301/5-10)

22 Sec. 5-10. Functions of the Department.

23 (a) In addition to the powers, duties and functions vested
24 in the Department by this Act, or by other laws of this State,

1 the Department shall carry out the following activities:

2 (1) Design, coordinate and fund comprehensive
3 community-based and culturally and gender-appropriate
4 services throughout the State. These services must include
5 prevention, early intervention, treatment, and other
6 recovery support services for substance use disorders that
7 are accessible and addresses the needs of at-risk
8 individuals and their families.

9 (2) Act as the exclusive State agency to accept,
10 receive and expend, pursuant to appropriation, any public
11 or private monies, grants or services, including those
12 received from the federal government or from other State
13 agencies, for the purpose of providing prevention, early
14 intervention, treatment, and other recovery support
15 services for substance use disorders.

16 (2.5) In partnership with the Department of Healthcare
17 and Family Services, act as one of the principal State
18 agencies for the sole purpose of calculating the
19 maintenance of effort requirement under Section 1930 of
20 Title XIX, Part B, Subpart II of the Public Health Service
21 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
22 96.134).

23 (3) Coordinate a statewide strategy for the
24 prevention, early intervention, treatment, and recovery
25 support of substance use disorders. This strategy shall
26 include the development of a comprehensive plan, submitted

1 annually with the application for federal substance use
2 disorder block grant funding, for the provision of an
3 array of such services. The plan shall be based on local
4 community-based needs and upon data including, but not
5 limited to, that which defines the prevalence of and costs
6 associated with substance use disorders. This
7 comprehensive plan shall include identification of
8 problems, needs, priorities, services and other pertinent
9 information, including the needs of minorities and other
10 specific priority populations in the State, and shall
11 describe how the identified problems and needs will be
12 addressed. For purposes of this paragraph, the term
13 "minorities and other specific priority populations" may
14 include, but shall not be limited to, groups such as
15 women, children, intravenous drug users, persons with AIDS
16 or who are HIV infected, veterans, African-Americans,
17 Puerto Ricans, Hispanics, Asian Americans, Arabs, the
18 elderly, persons in the criminal justice system, persons
19 who are clients of services provided by other State
20 agencies, persons with disabilities and such other
21 specific populations as the Department may from time to
22 time identify. In developing the plan, the Department
23 shall seek input from providers, parent groups,
24 associations and interested citizens.

25 The plan developed under this Section shall include an
26 explanation of the rationale to be used in ensuring that

1 funding shall be based upon local community needs,
2 including, but not limited to, the incidence and
3 prevalence of, and costs associated with, substance use
4 disorders, as well as upon demonstrated program
5 performance.

6 The plan developed under this Section shall also
7 contain a report detailing the activities of and progress
8 made through services for the care and treatment of
9 substance use disorders among pregnant women and mothers
10 and their children established under subsection (j) of
11 Section 35-5.

12 As applicable, the plan developed under this Section
13 shall also include information about funding by other
14 State agencies for prevention, early intervention,
15 treatment, and other recovery support services.

16 (4) Lead, foster and develop cooperation, coordination
17 and agreements among federal and State governmental
18 agencies and local providers that provide assistance,
19 services, funding or other functions, peripheral or
20 direct, in the prevention, early intervention, treatment,
21 and recovery support for substance use disorders. This
22 shall include, but shall not be limited to, the following:

23 (A) Cooperate with and assist other State
24 agencies, as applicable, in establishing and
25 conducting substance use disorder services among the
26 populations they respectively serve.

1 disorders.

2 These services may include, but shall not be limited
3 to, programs to prevent or treat substance use
4 disorders with DCFS clients and their families,
5 identifying child care needs within such treatment,
6 and assistance with other issues as required.

7 (F) Cooperate with and assist the Illinois
8 Criminal Justice Information Authority with respect to
9 statistical and other information concerning the
10 incidence and prevalence of substance use disorders.

11 (G) Cooperate with and assist the State
12 Superintendent of Education, boards of education,
13 schools, police departments, the Illinois State
14 Police, courts and other public and private agencies
15 and individuals in establishing prevention programs
16 statewide and preparing curriculum materials for use
17 at all levels of education.

18 (H) Cooperate with and assist the Illinois
19 Department of Healthcare and Family Services in the
20 development and provision of services offered to
21 recipients of public assistance for the treatment and
22 prevention of substance use disorders.

23 (I) (Blank).

24 (5) From monies appropriated to the Department from
25 the Drunk and Drugged Driving Prevention Fund, reimburse
26 DUI evaluation and risk education programs licensed by the

1 Department for providing indigent persons with free or
2 reduced-cost evaluation and risk education services
3 relating to a charge of driving under the influence of
4 alcohol or other drugs.

5 (6) Promulgate regulations to identify and disseminate
6 best practice guidelines that can be utilized by publicly
7 and privately funded programs as well as for levels of
8 payment to government funded programs that provide
9 prevention, early intervention, treatment, and other
10 recovery support services for substance use disorders and
11 those services referenced in Sections 15-10 and 40-5.

12 (7) In consultation with providers and related trade
13 associations, specify a uniform methodology for use by
14 funded providers and the Department for billing and
15 collection and dissemination of statistical information
16 regarding services related to substance use disorders.

17 (8) Receive data and assistance from federal, State
18 and local governmental agencies, and obtain copies of
19 identification and arrest data from all federal, State and
20 local law enforcement agencies for use in carrying out the
21 purposes and functions of the Department.

22 (9) Designate and license providers to conduct
23 screening, assessment, referral and tracking of clients
24 identified by the criminal justice system as having
25 indications of substance use disorders and being eligible
26 to make an election for treatment under Section 40-5 of

1 this Act, and assist in the placement of individuals who
2 are under court order to participate in treatment.

3 (10) Identify and disseminate evidence-based best
4 practice guidelines as maintained in administrative rule
5 that can be utilized to determine a substance use disorder
6 diagnosis.

7 (11) (Blank).

8 (12) Make grants with funds appropriated from the Drug
9 Treatment Fund in accordance with Section 7 of the
10 Controlled Substance and Cannabis Nuisance Act, or in
11 accordance with Section 80 of the Methamphetamine Control
12 and Community Protection Act, or in accordance with
13 subsections (h) and (i) of Section 411.2 of the Illinois
14 Controlled Substances Act, or in accordance with Section
15 6z-107 of the State Finance Act.

16 (13) Encourage all health and disability insurance
17 programs to include substance use disorder treatment as a
18 covered service and to use evidence-based best practice
19 criteria as maintained in administrative rule and as
20 required in Public Act 99-0480 in determining the
21 necessity for such services and continued stay.

22 (14) Award grants and enter into fixed-rate and
23 fee-for-service arrangements with any other department,
24 authority or commission of this State, or any other state
25 or the federal government or with any public or private
26 agency, including the disbursement of funds and furnishing

1 of staff, to effectuate the purposes of this Act.

2 (15) Conduct a public information campaign to inform
3 the State's Hispanic residents regarding the prevention
4 and treatment of substance use disorders.

5 (b) In addition to the powers, duties and functions vested
6 in it by this Act, or by other laws of this State, the
7 Department may undertake, but shall not be limited to, the
8 following activities:

9 (1) Require all organizations licensed or funded by
10 the Department to include an education component to inform
11 participants regarding the causes and means of
12 transmission and methods of reducing the risk of acquiring
13 or transmitting HIV infection and other infectious
14 diseases, and to include funding for such education
15 component in its support of the program.

16 (2) Review all State agency applications for federal
17 funds that include provisions relating to the prevention,
18 early intervention and treatment of substance use
19 disorders in order to ensure consistency.

20 (3) Prepare, publish, evaluate, disseminate and serve
21 as a central repository for educational materials dealing
22 with the nature and effects of substance use disorders.
23 Such materials may deal with the educational needs of the
24 citizens of Illinois, and may include at least pamphlets
25 that describe the causes and effects of fetal alcohol
26 spectrum disorders.

1 (4) Develop and coordinate, with regional and local
2 agencies, education and training programs for persons
3 engaged in providing services for persons with substance
4 use disorders, which programs may include specific HIV
5 education and training for program personnel.

6 (5) Cooperate with and assist in the development of
7 education, prevention, early intervention, and treatment
8 programs for employees of State and local governments and
9 businesses in the State.

10 (6) Utilize the support and assistance of interested
11 persons in the community, including recovering persons, to
12 assist individuals and communities in understanding the
13 dynamics of substance use disorders, and to encourage
14 individuals with substance use disorders to voluntarily
15 undergo treatment.

16 (7) Promote, conduct, assist or sponsor basic
17 clinical, epidemiological and statistical research into
18 substance use disorders and research into the prevention
19 of those problems either solely or in conjunction with any
20 public or private agency.

21 (8) Cooperate with public and private agencies,
22 organizations and individuals in the development of
23 programs, and to provide technical assistance and
24 consultation services for this purpose.

25 (9) (Blank).

26 (10) (Blank).

1 (11) Fund, promote, or assist entities dealing with
2 substance use disorders.

3 (12) With monies appropriated from the Group Home Loan
4 Revolving Fund, make loans, directly or through
5 subcontract, to assist in underwriting the costs of
6 housing in which individuals recovering from substance use
7 disorders may reside, pursuant to Section 50-40 of this
8 Act.

9 (13) Promulgate such regulations as may be necessary
10 to carry out the purposes and enforce the provisions of
11 this Act.

12 (14) Provide funding to help parents be effective in
13 preventing substance use disorders by building an
14 awareness of the family's role in preventing substance use
15 disorders through adjusting expectations, developing new
16 skills, and setting positive family goals. The programs
17 shall include, but not be limited to, the following
18 subjects: healthy family communication; establishing rules
19 and limits; how to reduce family conflict; how to build
20 self-esteem, competency, and responsibility in children;
21 how to improve motivation and achievement; effective
22 discipline; problem solving techniques; and how to talk
23 about drugs and alcohol. The programs shall be open to all
24 parents.

25 (Source: P.A. 101-10, eff. 6-5-19; 102-538, eff. 8-20-21.)

1 Section 30. The Brownfields Redevelopment and Intermodal
2 Promotion Act is amended by changing Section 3-10 as follows:

3 (20 ILCS 607/3-10)

4 Sec. 3-10. Definitions. As used in this Act:

5 "Affected Municipality" means a municipality whose
6 boundaries are partially or completely within the Brownfields
7 Redevelopment Zone and where an Eligible Project will take
8 place.

9 "Developer Agreement" means the agreement between an
10 eligible developer or eligible employer and the Department
11 under this Act.

12 "Brownfield" means real property, the expansion,
13 redevelopment, or reuse of which may be complicated by the
14 presence or potential presence of a hazardous substance,
15 pollutant, or contaminant; for the purposes of this Act, a
16 property will be considered a brownfield if a prospective
17 purchaser seeking financing from a private financial
18 institution is required by that institution to conduct a Phase
19 I Environmental Site Assessment (ESA), as defined by ASTM
20 Standard E-1527-05 ("Standard Practice for Environmental Site
21 Assessments: Phase I Environmental Site Assessment Process").

22 "Department" means the Department of Commerce and Economic
23 Opportunity.

24 "Director" means the Director of the Department of
25 Commerce and Economic Opportunity.

1 "Eligible Developer" means an individual, partnership,
2 corporation, or other entity, currently and actively engaged
3 in the development of logistics, warehousing, distribution, or
4 light manufacturing facilities in North America, including the
5 Managing Partner of the South Suburban Brownfields
6 Redevelopment Zone, that owns, options, or otherwise directly
7 controls a parcel of land that is included in a South Suburban
8 Brownfields Redevelopment Zone Project.

9 "Eligible employer" means an individual, partnership,
10 corporation, or other entity that employs or will employ
11 full-time employees at finished facilities on property that is
12 within the South Suburban Brownfields Redevelopment Zone.

13 "Employment goal" means the goal of achieving a minimum
14 percentage of labor hours to be performed by employees who are
15 a member of a minority group and who reside in one of the
16 municipalities containing property that is part of the South
17 Suburban Brownfields Redevelopment Zone.

18 "Full-time employee" means an individual who is employed
19 for consideration for at least 35 hours each week or who
20 renders any other standard of service generally accepted by
21 industry custom or practice as full-time employment. An
22 individual for whom a W-2 is issued by a Professional Employer
23 Organization is a full-time employee if employed in the
24 service of the eligible employer for consideration for at
25 least 35 hours each week or who renders any other standard of
26 service generally accepted by industry custom or practice as

1 full-time employment.

2 "Eligible Project" means those projects described in
3 Section 3-35 of this Act.

4 "Incremental income tax" means the total amount withheld
5 from the compensation of new employees under Article 7 of the
6 Illinois Income Tax Act arising from employment by an eligible
7 employer.

8 "Infrastructure" means roads and streets, bridges,
9 sidewalks, street lights, water and sewer line extensions or
10 improvements, storm water drainage and retention facilities,
11 gas and electric utility line extensions or improvements, and
12 rail improvements including signalization and siding
13 construction or repair, on publicly owned land or other public
14 improvements that are essential to the development of a
15 Redevelopment Zone Project.

16 "Intermodal" means a type of international freight system
17 that permits transshipping among sea, highway, rail and air
18 modes of transportation through use of ANSI/International
19 Organization for Standardization containers, line haul assets,
20 and handling equipment.

21 "Intermodal terminal" means an integrated facility where
22 trailers and containers are transferred between intermodal
23 railcars and highway carriers, including domestic and
24 international container shipments; or an integrated facility
25 where dry or liquid bulk and packaged commodities are
26 transferred between conventional railroad freight cars and

1 highway carriers.

2 "Managing Partner" means a representative of Cook County
3 appointed by the President of the Board of Commissioners of
4 Cook County or a duly created instrumentality of the County
5 which enters into an agreement with the Department as
6 described in subsection (c) of Section 3-30 of this Act
7 regarding the overall management and use of Increment Funds
8 and which is authorized by the County to undertake, or to enter
9 into Development agreements with third parties to undertake,
10 activities necessary for the redevelopment of parcels
11 designated under this Act as part of a South Suburban
12 Brownfields Redevelopment Zone. For the purposes of this
13 definition, a "duly created instrumentality of the county" is
14 a company that:

15 (1) is licensed to conduct business in the State of
16 Illinois;

17 (2) has (i) executed industrial developments of the
18 type described as "eligible projects" in Section 3-35 and
19 duly met all of its financial obligations entailed in
20 those projects and (ii) managed each of the types of tasks
21 described in Section 3-45 of this Act as "eligible
22 activities", performing those activities with results that
23 met or exceeded the objectives of the project, or
24 otherwise possesses the business experience described in
25 this item (2);

26 (3) is selected through a competitive Request for

1 Proposals process conducted according to rules and
2 standards generally applicable to the selection of
3 professional service contractors by the government of Cook
4 County.

5 "Minority" means a person who is a citizen or lawful
6 permanent resident of the United States and who is:

7 (i) African American, meaning a person whose origins
8 are in any of the Black racial groups of Africa, and who
9 has historically and consistently identified himself or
10 herself as being such a person;

11 (ii) Hispanic American or Latino American, meaning a
12 person whose origins are in Mexico, Central or South
13 America, or any of the Spanish speaking islands of the
14 Caribbean (for example Cuba and Puerto Rico), regardless
15 of race, and who has historically and consistently
16 identified himself or herself as being such a person;

17 (iii) Asian or Pacific Islander American, meaning a
18 person whose origins are in any of the original peoples of
19 the Far East, Southeast Asia, the islands of the Pacific
20 or the Northern Marianas, or the Indian Subcontinent, and
21 who has historically and consistently identified himself
22 or herself as being such a person; ~~or~~

23 (iv) Native American, meaning a person having origins
24 in any of the original peoples of North America, and who
25 maintain tribal affiliation or demonstrate at least
26 one-quarter descent from such groups, and who has

1 historically and consistently identified himself or
2 herself as being such a person; or -

3 (v) Arab, meaning a person having origins in any of
4 the original peoples of Saudi Arabia, United Arab
5 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon,
6 Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine,
7 Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or
8 Algeria, and who has historically and consistently
9 identified himself or herself as being such a person.

10 "New employee" means a full-time employee first employed
11 by an eligible employer for a project that is the subject of an
12 agreement between the Managing Partner and an eligible
13 developer or eligible employer and who is hired after the
14 eligible developer enters into the agreement, but does not
15 include:

16 (1) an employee of the eligible employer who performs
17 a job that (i) existed for at least 6 months before the
18 employee was hired and (ii) was previously performed by
19 another employee;

20 (2) an employee of the eligible employer who was
21 previously employed in Illinois by a related member of the
22 eligible employer and whose employment was shifted to the
23 eligible employer after the eligible employer entered into
24 the agreement; or

25 (3) a child, grandchild, parent, or spouse, other than
26 a spouse who is legally separated from the individual, of

1 any individual who has a direct or an indirect ownership
2 interest of at least 5% in the profits, capital, or value
3 of the eligible employer.

4 Notwithstanding item (2) of this definition, an employee
5 may be considered a new employee under the agreement if the
6 employee performs a job that was previously performed by an
7 employee who was: (i) treated under the agreement as a new
8 employee and (ii) promoted by the eligible employer to another
9 job.

10 "Professional Employer Organization" means an employee
11 leasing company, as defined in Section 206.1(A)(2) of the
12 Unemployment Insurance Act.

13 "Related member" means a person or entity that, with
14 respect to the eligible employer during any portion of the
15 taxable year, is any one of the following:

16 (1) an individual stockholder, if the stockholder and
17 the members of the stockholder's family (as defined in
18 Section 318 of the Internal Revenue Code) own directly,
19 indirectly, beneficially, or constructively, in the
20 aggregate, at least 50% of the value of the eligible
21 employer's outstanding stock;

22 (2) a partnership, estate, or trust and any partner or
23 beneficiary, if the partnership, estate, or trust, and its
24 partners or beneficiaries own directly, indirectly,
25 beneficially, or constructively, in the aggregate, at
26 least 50% of the profits, capital, stock, or value of the

1 eligible employer;

2 (3) a corporation, and any party related to the
3 corporation in a manner that would require an attribution
4 of stock from the corporation to the party or from the
5 party to the corporation under the attribution rules of
6 Section 318 of the Internal Revenue Code, if the taxpayer
7 owns directly, indirectly, beneficially, or constructively
8 at least 50% of the value of the corporation's outstanding
9 stock;

10 (4) a corporation and any party related to that
11 corporation in a manner that would require an attribution
12 of stock from the corporation to the party or from the
13 party to the corporation under the attribution rules of
14 Section 318 of the Internal Revenue Code, if the
15 corporation and all such related parties own in the
16 aggregate at least 50% of the profits, capital, stock, or
17 value of the eligible employer; or

18 (5) a person to or from whom there is attribution of
19 stock ownership in accordance with Section 1563(e) of the
20 Internal Revenue Code, except, for purposes of determining
21 whether a person is a related member under this
22 definition, 20% shall be substituted for 5% wherever 5%
23 appears in Section 1563(e) of the Internal Revenue Code.

24 "South Suburban Brownfields Advisory Council" or "Advisory
25 Council" means a body comprised of representatives of Affected
26 Municipalities, along with experts appointed by the President

1 of the Cook County Board of Commissioners and the Governor of
2 Illinois, created to guide development within the South
3 Suburban Brownfields Redevelopment Zone.

4 "South Suburban Brownfields Redevelopment Zone Project" or
5 "Project" means an Eligible Project, as described in Section
6 3-35, to coordinate the redevelopment and re-use of industrial
7 sites within the South Suburban Brownfields Redevelopment Zone
8 in southern Cook County.

9 "South Suburban Brownfields Redevelopment Zone",
10 "Brownfields Redevelopment Zone" or "Zone" means the area
11 fully encompassing all properties, acreage, and structures,
12 including sites that conform to the Environmental Protection
13 Agency definition of Brownfield Industrial Sites, that are
14 zoned for industrial uses by the applicable local zoning
15 agency and which are located within the following South
16 Suburban Cook County municipalities that surround the Canadian
17 National and Union Pacific intermodal freight terminals in
18 Harvey and Dolton, Illinois respectively: Dixmoor, Dolton,
19 East Hazelcrest, Harvey, Hazelcrest, Homewood, Markham,
20 Phoenix, Posen, Riverdale, South Holland and Thornton. The
21 South Suburban Brownfields Advisory Council shall advise the
22 Managing Partner in regard to the selection of Projects. The
23 composition of the Advisory Council is determined as set forth
24 in subsection (a) of Section 3-30 of this Act.

25 (Source: P.A. 98-109, eff. 7-25-13.)

1 Section 35. The Department of Human Services Act is
2 amended by changing Section 1-70 as follows:

3 (20 ILCS 1305/1-70)

4 Sec. 1-70. Uniform demographic data collection.

5 (a) The Department shall collect and publicly report
6 statistical data on the racial and ethnic demographics of
7 program participants for each program administered by the
8 Department. Except as provided in subsection (b), when
9 collecting the data required under this Section, the
10 Department shall use the same racial and ethnic
11 classifications for each program, which shall include, but not
12 be limited to, the following:

- 13 (1) American Indian and Alaska Native alone.
14 (2) Asian alone.
15 (3) Black or African American alone.
16 (4) Hispanic or Latino of any race.
17 (5) Native Hawaiian and Other Pacific Islander alone.
18 (5.5) Arab alone.
19 (6) White alone.
20 (7) Some other race alone.
21 (8) Two or more races.

22 The Department may further define, by rule, the racial and
23 ethnic classifications provided in this Section.

24 (b) If a program administered by the Department is subject
25 to federal reporting requirements that include the collection

1 and public reporting of statistical data on the racial and
2 ethnic demographics of program participants, the Department
3 may maintain the same racial and ethnic classifications used
4 under the federal requirements if such classifications differ
5 from the classifications listed in subsection (a).

6 (c) The Department shall make all demographic information
7 collected under this Section available to the public which at
8 a minimum shall include posting the information for each
9 program in a timely manner on the Department's official
10 website. If the Department already has a mechanism or process
11 in place to report information about program participation for
12 any program administered by the Department, then the
13 Department shall use that mechanism or process to include the
14 demographic information collected under this Section. If the
15 Department does not have a mechanism or process in place to
16 report information about program participation for any program
17 administered by the Department, then the Department shall
18 create a mechanism or process to disseminate the demographic
19 information collected under this Section.

20 (Source: P.A. 100-275, eff. 1-1-18; 100-863, eff. 8-14-18.)

21 Section 40. The Department of Public Health Powers and
22 Duties Law of the Civil Administrative Code of Illinois is
23 amended by changing Section 2310-215 as follows:

24 (20 ILCS 2310/2310-215) (was 20 ILCS 2310/55.62)

1 Sec. 2310-215. Center for Minority Health Services.

2 (a) The Department shall establish a Center for Minority
3 Health Services to advise the Department on matters pertaining
4 to the health needs of minority populations within the State.

5 (b) The Center shall have the following duties:

6 (1) To assist in the assessment of the health needs of
7 minority populations in the State.

8 (2) To recommend treatment methods and programs that
9 are sensitive and relevant to the unique linguistic,
10 cultural, and ethnic characteristics of minority
11 populations.

12 (3) To provide consultation, technical assistance,
13 training programs, and reference materials to service
14 providers, organizations, and other agencies.

15 (4) To promote awareness of minority health concerns,
16 and encourage, promote, and aid in the establishment of
17 minority services.

18 (5) To disseminate information on available minority
19 services.

20 (6) To provide adequate and effective opportunities
21 for minority populations to express their views on
22 Departmental policy development and program
23 implementation.

24 (7) To coordinate with the Department on Aging and the
25 Department of Healthcare and Family Services to coordinate
26 services designed to meet the needs of minority senior

1 citizens.

2 (8) To promote awareness of the incidence of
3 Alzheimer's disease and related dementias among minority
4 populations and to encourage, promote, and aid in the
5 establishment of prevention and treatment programs and
6 services relating to this health problem.

7 (c) For the purpose of this Section, "minority" shall mean
8 and include any person or group of persons who are any of the
9 following:

10 (1) American Indian or Alaska Native (a person having
11 origins in any of the original peoples of North and South
12 America, including Central America, and who maintains
13 tribal affiliation or community attachment).

14 (2) Asian (a person having origins in any of the
15 original peoples of the Far East, Southeast Asia, or the
16 Indian subcontinent, including, but not limited to,
17 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
18 the Philippine Islands, Thailand, and Vietnam).

19 (3) Black or African American (a person having origins
20 in any of the black racial groups of Africa).

21 (4) Hispanic or Latino (a person of Cuban, Mexican,
22 Puerto Rican, South or Central American, or other Spanish
23 culture or origin, regardless of race).

24 (5) Native Hawaiian or Other Pacific Islander (a
25 person having origins in any of the original peoples of
26 Hawaii, Guam, Samoa, or other Pacific Islands).

1 (6) Arab (a person having origins in any of the
2 original peoples of Saudi Arabia, United Arab Emirates,
3 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
4 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
5 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

6 (Source: P.A. 102-465, eff. 1-1-22.)

7 Section 45. The Criminal Identification Act is amended by
8 changing Section 4.5 as follows:

9 (20 ILCS 2630/4.5)

10 Sec. 4.5. Ethnic and racial data collection.

11 (a) Ethnic and racial data for every adult or juvenile
12 arrested shall be collected at the following points of contact
13 by the entity identified in this subsection or another entity
14 authorized and qualified to collect and report on this data:

15 (1) at arrest or booking, by the supervising law
16 enforcement agency;

17 (2) upon admittance to the Department of Corrections,
18 by the Department of Corrections;

19 (3) upon admittance to the Department of Juvenile
20 Justice, by the Department of Juvenile Justice; and

21 (4) upon transfer from the Department of Juvenile
22 Justice to the Department of Corrections, by the
23 Department of Juvenile Justice.

24 (b) Ethnic and racial data shall be collected through

1 selection of one of the following categories:

2 (1) American Indian or Alaskan Native;

3 (2) Asian or Pacific Islander;

4 (3) Black or African American;

5 (4) White or Caucasian;

6 (5) Hispanic or Latino; ~~or~~

7 (5.5) Arab; or

8 (6) Unknown.

9 (c) The collecting entity shall make a good-faith effort
10 to collect race and ethnicity information as self-reported by
11 the adult or juvenile. If the adult or juvenile is unable or
12 unwilling to provide race and ethnicity information, the
13 collecting entity shall make a good-faith effort to deduce the
14 race and ethnicity of the adult or juvenile.

15 (Source: P.A. 98-528, eff. 1-1-15; 99-78, eff. 7-20-15.)

16 Section 50. The Business Enterprise for Minorities, Women,
17 and Persons with Disabilities Act is amended by changing
18 Section 2 as follows:

19 (30 ILCS 575/2)

20 (Section scheduled to be repealed on June 30, 2024)

21 Sec. 2. Definitions.

22 (A) For the purpose of this Act, the following terms shall
23 have the following definitions:

24 (1) "Minority person" shall mean a person who is a

1 citizen or lawful permanent resident of the United States
2 and who is any of the following:

3 (a) American Indian or Alaska Native (a person
4 having origins in any of the original peoples of North
5 and South America, including Central America, and who
6 maintains tribal affiliation or community attachment).

7 (b) Asian (a person having origins in any of the
8 original peoples of the Far East, Southeast Asia, or
9 the Indian subcontinent, including, but not limited
10 to, Cambodia, China, India, Japan, Korea, Malaysia,
11 Pakistan, the Philippine Islands, Thailand, and
12 Vietnam).

13 (c) Black or African American (a person having
14 origins in any of the black racial groups of Africa).

15 (d) Hispanic or Latino (a person of Cuban,
16 Mexican, Puerto Rican, South or Central American, or
17 other Spanish culture or origin, regardless of race).

18 (e) Native Hawaiian or Other Pacific Islander (a
19 person having origins in any of the original peoples
20 of Hawaii, Guam, Samoa, or other Pacific Islands).

21 (f) Arab (a person having origins in any of the
22 original peoples of Saudi Arabia, United Arab
23 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait,
24 Lebanon, Libya, Mauritania, Morocco, Djibouti,
25 Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan,
26 Tunisia, Egypt, or Algeria).

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(2) "Woman" shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.

(2.05) "Person with a disability" means a person who is a citizen or lawful resident of the United States and is a person qualifying as a person with a disability under subdivision (2.1) of this subsection (A).

(2.1) "Person with a disability" means a person with a severe physical or mental disability that:

- (a) results from:
 - amputation,
 - arthritis,
 - autism,
 - blindness,
 - burn injury,
 - cancer,
 - cerebral palsy,
 - Crohn's disease,
 - cystic fibrosis,
 - deafness,
 - head injury,
 - heart disease,
 - hemiplegia,
 - hemophilia,
 - respiratory or pulmonary dysfunction,

1 an intellectual disability,
2 mental illness,
3 multiple sclerosis,
4 muscular dystrophy,
5 musculoskeletal disorders,
6 neurological disorders, including stroke and
7 epilepsy,
8 paraplegia,
9 quadriplegia and other spinal cord conditions,
10 sickle cell anemia,
11 ulcerative colitis,
12 specific learning disabilities, or
13 end stage renal failure disease; and

14 (b) substantially limits one or more of the
15 person's major life activities.

16 Another disability or combination of disabilities may
17 also be considered as a severe disability for the purposes
18 of item (a) of this subdivision (2.1) if it is determined
19 by an evaluation of rehabilitation potential to cause a
20 comparable degree of substantial functional limitation
21 similar to the specific list of disabilities listed in
22 item (a) of this subdivision (2.1).

23 (3) "Minority-owned business" means a business which
24 is at least 51% owned by one or more minority persons, or
25 in the case of a corporation, at least 51% of the stock in
26 which is owned by one or more minority persons; and the

1 management and daily business operations of which are
2 controlled by one or more of the minority individuals who
3 own it.

4 (4) "Women-owned business" means a business which is
5 at least 51% owned by one or more women, or, in the case of
6 a corporation, at least 51% of the stock in which is owned
7 by one or more women; and the management and daily
8 business operations of which are controlled by one or more
9 of the women who own it.

10 (4.1) "Business owned by a person with a disability"
11 means a business that is at least 51% owned by one or more
12 persons with a disability and the management and daily
13 business operations of which are controlled by one or more
14 of the persons with disabilities who own it. A
15 not-for-profit agency for persons with disabilities that
16 is exempt from taxation under Section 501 of the Internal
17 Revenue Code of 1986 is also considered a "business owned
18 by a person with a disability".

19 (4.2) "Council" means the Business Enterprise Council
20 for Minorities, Women, and Persons with Disabilities
21 created under Section 5 of this Act.

22 (4.3) "Commission" means, unless the context clearly
23 indicates otherwise, the Commission on Equity and
24 Inclusion created under the Commission on Equity and
25 Inclusion Act.

26 (5) "State contracts" means all contracts entered into

1 by the State, any agency or department thereof, or any
2 public institution of higher education, including
3 community college districts, regardless of the source of
4 the funds with which the contracts are paid, which are not
5 subject to federal reimbursement. "State contracts" does
6 not include contracts awarded by a retirement system,
7 pension fund, or investment board subject to Section
8 1-109.1 of the Illinois Pension Code. This definition
9 shall control over any existing definition under this Act
10 or applicable administrative rule.

11 "State construction contracts" means all State
12 contracts entered into by a State agency or public
13 institution of higher education for the repair,
14 remodeling, renovation or construction of a building or
15 structure, or for the construction or maintenance of a
16 highway defined in Article 2 of the Illinois Highway Code.

17 (6) "State agencies" shall mean all departments,
18 officers, boards, commissions, institutions and bodies
19 politic and corporate of the State, but does not include
20 the Board of Trustees of the University of Illinois, the
21 Board of Trustees of Southern Illinois University, the
22 Board of Trustees of Chicago State University, the Board
23 of Trustees of Eastern Illinois University, the Board of
24 Trustees of Governors State University, the Board of
25 Trustees of Illinois State University, the Board of
26 Trustees of Northeastern Illinois University, the Board of

1 Trustees of Northern Illinois University, the Board of
2 Trustees of Western Illinois University, municipalities or
3 other local governmental units, or other State
4 constitutional officers.

5 (7) "Public institutions of higher education" means
6 the University of Illinois, Southern Illinois University,
7 Chicago State University, Eastern Illinois University,
8 Governors State University, Illinois State University,
9 Northeastern Illinois University, Northern Illinois
10 University, Western Illinois University, the public
11 community colleges of the State, and any other public
12 universities, colleges, and community colleges now or
13 hereafter established or authorized by the General
14 Assembly.

15 (8) "Certification" means a determination made by the
16 Council or by one delegated authority from the Council to
17 make certifications, or by a State agency with statutory
18 authority to make such a certification, that a business
19 entity is a business owned by a minority, woman, or person
20 with a disability for whatever purpose. A business owned
21 and controlled by women shall be certified as a
22 "woman-owned business". A business owned and controlled by
23 women who are also minorities shall be certified as both a
24 "women-owned business" and a "minority-owned business".

25 (9) "Control" means the exclusive or ultimate and sole
26 control of the business including, but not limited to,

1 capital investment and all other financial matters,
2 property, acquisitions, contract negotiations, legal
3 matters, officer-director-employee selection and
4 comprehensive hiring, operating responsibilities,
5 cost-control matters, income and dividend matters,
6 financial transactions and rights of other shareholders or
7 joint partners. Control shall be real, substantial and
8 continuing, not pro forma. Control shall include the power
9 to direct or cause the direction of the management and
10 policies of the business and to make the day-to-day as
11 well as major decisions in matters of policy, management
12 and operations. Control shall be exemplified by possessing
13 the requisite knowledge and expertise to run the
14 particular business and control shall not include simple
15 majority or absentee ownership.

16 (10) "Business" means a business that has annual gross
17 sales of less than \$75,000,000 as evidenced by the federal
18 income tax return of the business. A firm with gross sales
19 in excess of this cap may apply to the Council for
20 certification for a particular contract if the firm can
21 demonstrate that the contract would have significant
22 impact on businesses owned by minorities, women, or
23 persons with disabilities as suppliers or subcontractors
24 or in employment of minorities, women, or persons with
25 disabilities.

26 (11) "Utilization plan" means a form and additional

1 documentations included in all bids or proposals that
2 demonstrates a vendor's proposed utilization of vendors
3 certified by the Business Enterprise Program to meet the
4 targeted goal. The utilization plan shall demonstrate that
5 the Vendor has either: (1) met the entire contract goal or
6 (2) requested a full or partial waiver and made good faith
7 efforts towards meeting the goal.

8 (12) "Business Enterprise Program" means the Business
9 Enterprise Program of the Commission on Equity and
10 Inclusion.

11 (B) When a business is owned at least 51% by any
12 combination of minority persons, women, or persons with
13 disabilities, even though none of the 3 classes alone holds at
14 least a 51% interest, the ownership requirement for purposes
15 of this Act is considered to be met. The certification
16 category for the business is that of the class holding the
17 largest ownership interest in the business. If 2 or more
18 classes have equal ownership interests, the certification
19 category shall be determined by the business.

20 (Source: P.A. 101-601, eff. 1-1-20; 101-657, eff. 1-1-22;
21 102-29, eff. 6-25-21.)

22 Section 55. The State Construction Minority and Female
23 Building Trades Act is amended by changing Section 35-5 as
24 follows:

1 (30 ILCS 577/35-5)

2 Sec. 35-5. Definitions. For the purposes of this Article:

3 "Under-represented minority" means a person who is any of
4 the following:

5 (1) American Indian or Alaska Native (a person having
6 origins in any of the original peoples of North and South
7 America, including Central America, and who maintains
8 tribal affiliation or community attachment).

9 (2) Asian (a person having origins in any of the
10 original peoples of the Far East, Southeast Asia, or the
11 Indian subcontinent, including, but not limited to,
12 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
13 the Philippine Islands, Thailand, and Vietnam).

14 (3) Black or African American (a person having origins
15 in any of the black racial groups of Africa).

16 (4) Hispanic or Latino (a person of Cuban, Mexican,
17 Puerto Rican, South or Central American, or other Spanish
18 culture or origin, regardless of race).

19 (5) Native Hawaiian or Other Pacific Islander (a
20 person having origins in any of the original peoples of
21 Hawaii, Guam, Samoa, or other Pacific Islands).

22 (6) Arab (a person having origins in any of the
23 original peoples of Saudi Arabia, United Arab Emirates,
24 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
25 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
26 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

1 "Construction" means any constructing, altering,
2 reconstructing, repairing, rehabilitating, refinishing,
3 refurbishing, remodeling, remediating, renovating, custom
4 fabricating, maintenance, landscaping, improving, wrecking,
5 painting, decorating, demolishing, and adding to or
6 subtracting from any building, structure, highway, roadway,
7 street, bridge, alley, sewer, ditch, sewage disposal plant,
8 water works, parking facility, railroad, excavation or other
9 structure, project, development, real property or improvement,
10 or to do any part thereof, whether or not the performance of
11 the work herein described involves the addition to, or
12 fabrication into, any structure, project, development, real
13 property or improvement herein described of any material or
14 article of merchandise. Construction shall also include moving
15 construction related materials on the job site to or from the
16 job site.

17 (Source: P.A. 102-465, eff. 1-1-22.)

18 Section 60. The Inclusion of Women and Minorities in
19 Clinical Research Act is amended by changing Section 5 as
20 follows:

21 (30 ILCS 785/5)

22 Sec. 5. Definitions. In this Act:

23 "Grantee" means any qualified public, private, or
24 not-for-profit agency or individual, including, but not

1 limited to, a college, university, hospital, laboratory,
2 research institution, local health department, voluntary
3 health agency, health maintenance organization, corporation,
4 student, fellow, or entrepreneur, conducting clinical research
5 using State funds. A grantee may also be a corporation that is
6 headquartered in Illinois and that conducts research using
7 State funds.

8 "Minority group" means a group that is a readily
9 identifiable subset of the U.S. population that is
10 distinguished by racial, ethnic, or cultural heritage and that
11 is made up of persons who are any of the following:

12 (1) American Indian or Alaska Native (a person having
13 origins in any of the original peoples of North and South
14 America, including Central America, and who maintains
15 tribal affiliation or community attachment).

16 (2) Asian (a person having origins in any of the
17 original peoples of the Far East, Southeast Asia, or the
18 Indian subcontinent, including, but not limited to,
19 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
20 the Philippine Islands, Thailand, and Vietnam).

21 (3) Black or African American (a person having origins
22 in any of the black racial groups of Africa).

23 (4) Hispanic or Latino (a person of Cuban, Mexican,
24 Puerto Rican, South or Central American, or other Spanish
25 culture or origin, regardless of race).

26 (5) Native Hawaiian or Other Pacific Islander (a

1 person having origins in any of the original peoples of
2 Hawaii, Guam, Samoa, or other Pacific Islands).

3 (6) Arab (a person having origins in any of the
4 original peoples of Saudi Arabia, United Arab Emirates,
5 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
6 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
7 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

8 "Project of clinical research" includes a clinical trial.
9 (Source: P.A. 102-465, eff. 1-1-22.)

10 Section 65. The Metropolitan Pier and Exposition Authority
11 Act is amended by changing Section 23.1 as follows:

12 (70 ILCS 210/23.1) (from Ch. 85, par. 1243.1)

13 Sec. 23.1. Affirmative action.

14 (a) The Authority shall, within 90 days after the
15 effective date of this amendatory Act of 1984, establish and
16 maintain an affirmative action program designed to promote
17 equal employment opportunity and eliminate the effects of past
18 discrimination. Such program shall include a plan, including
19 timetables where appropriate, which shall specify goals and
20 methods for increasing participation by women and minorities
21 in employment, including employment related to the planning,
22 organization, and staging of the games, by the Authority and
23 by parties which contract with the Authority. The Authority
24 shall submit a detailed plan with the General Assembly prior

1 to September 1 of each year. Such program shall also establish
2 procedures and sanctions, which the Authority shall enforce to
3 ensure compliance with the plan established pursuant to this
4 Section and with State and federal laws and regulations
5 relating to the employment of women and minorities. A
6 determination by the Authority as to whether a party to a
7 contract with the Authority has achieved the goals or employed
8 the methods for increasing participation by women and
9 minorities shall be determined in accordance with the terms of
10 such contracts or the applicable provisions of rules and
11 regulations of the Authority existing at the time such
12 contract was executed, including any provisions for
13 consideration of good faith efforts at compliance which the
14 Authority may reasonably adopt.

15 (b) The Authority shall adopt and maintain minority-owned
16 and women-owned business enterprise procurement programs under
17 the affirmative action program described in subsection (a) for
18 any and all work, including all contracting related to the
19 planning, organization, and staging of the games, undertaken
20 by the Authority. That work shall include, but is not limited
21 to, the purchase of professional services, construction
22 services, supplies, materials, and equipment. The programs
23 shall establish goals of awarding not less than 25% of the
24 annual dollar value of all contracts, purchase orders, or
25 other agreements (collectively referred to as "contracts") to
26 minority-owned businesses and 5% of the annual dollar value of

1 all contracts to women-owned businesses. Without limiting the
2 generality of the foregoing, the programs shall require in
3 connection with the prequalification or consideration of
4 vendors for professional service contracts, construction
5 contracts, and contracts for supplies, materials, equipment,
6 and services that each proposer or bidder submit as part of his
7 or her proposal or bid a commitment detailing how he or she
8 will expend 25% or more of the dollar value of his or her
9 contracts with one or more minority-owned businesses and 5% or
10 more of the dollar value with one or more women-owned
11 businesses. Bids or proposals that do not include such
12 detailed commitments are not responsive and shall be rejected
13 unless the Authority deems it appropriate to grant a waiver of
14 these requirements. In addition the Authority may, in
15 connection with the selection of providers of professional
16 services, reserve the right to select a minority-owned or
17 women-owned business or businesses to fulfill the commitment
18 to minority and woman business participation. The commitment
19 to minority and woman business participation may be met by the
20 contractor or professional service provider's status as a
21 minority-owned or women-owned business, by joint venture or by
22 subcontracting a portion of the work with or purchasing
23 materials for the work from one or more such businesses, or by
24 any combination thereof. Each contract shall require the
25 contractor or provider to submit a certified monthly report
26 detailing the status of that contractor or provider's

1 compliance with the Authority's minority-owned and women-owned
2 business enterprise procurement program. The Authority, after
3 reviewing the monthly reports of the contractors and
4 providers, shall compile a comprehensive report regarding
5 compliance with this procurement program and file it quarterly
6 with the General Assembly. If, in connection with a particular
7 contract, the Authority determines that it is impracticable or
8 excessively costly to obtain minority-owned or women-owned
9 businesses to perform sufficient work to fulfill the
10 commitment required by this subsection, the Authority shall
11 reduce or waive the commitment in the contract, as may be
12 appropriate. The Authority shall establish rules and
13 regulations setting forth the standards to be used in
14 determining whether or not a reduction or waiver is
15 appropriate. The terms "minority-owned business" and
16 "women-owned business" have the meanings given to those terms
17 in the Business Enterprise for Minorities, Women, and Persons
18 with Disabilities Act.

19 (c) The Authority shall adopt and maintain an affirmative
20 action program in connection with the hiring of minorities and
21 women on the Expansion Project and on any and all construction
22 projects, including all contracting related to the planning,
23 organization, and staging of the games, undertaken by the
24 Authority. The program shall be designed to promote equal
25 employment opportunity and shall specify the goals and methods
26 for increasing the participation of minorities and women in a

1 representative mix of job classifications required to perform
2 the respective contracts awarded by the Authority.

3 (d) In connection with the Expansion Project, the
4 Authority shall incorporate the following elements into its
5 minority-owned and women-owned business procurement programs
6 to the extent feasible: (1) a major contractors program that
7 permits minority-owned businesses and women-owned businesses
8 to bear significant responsibility and risk for a portion of
9 the project; (2) a mentor/protege program that provides
10 financial, technical, managerial, equipment, and personnel
11 support to minority-owned businesses and women-owned
12 businesses; (3) an emerging firms program that includes
13 minority-owned businesses and women-owned businesses that
14 would not otherwise qualify for the project due to
15 inexperience or limited resources; (4) a small projects
16 program that includes participation by smaller minority-owned
17 businesses and women-owned businesses on jobs where the total
18 dollar value is \$5,000,000 or less; and (5) a set-aside
19 program that will identify contracts requiring the expenditure
20 of funds less than \$50,000 for bids to be submitted solely by
21 minority-owned businesses and women-owned businesses.

22 (e) The Authority is authorized to enter into agreements
23 with contractors' associations, labor unions, and the
24 contractors working on the Expansion Project to establish an
25 Apprenticeship Preparedness Training Program to provide for an
26 increase in the number of minority and women journeymen and

1 apprentices in the building trades and to enter into
2 agreements with Community College District 508 to provide
3 readiness training. The Authority is further authorized to
4 enter into contracts with public and private educational
5 institutions and persons in the hospitality industry to
6 provide training for employment in the hospitality industry.

7 (f) McCormick Place Advisory Board. There is created a
8 McCormick Place Advisory Board composed as follows: 2 members
9 shall be appointed by the Mayor of Chicago; 2 members shall be
10 appointed by the Governor; 2 members shall be State Senators
11 appointed by the President of the Senate; 2 members shall be
12 State Senators appointed by the Minority Leader of the Senate;
13 2 members shall be State Representatives appointed by the
14 Speaker of the House of Representatives; and 2 members shall
15 be State Representatives appointed by the Minority Leader of
16 the House of Representatives. The terms of all previously
17 appointed members of the Advisory Board expire on the
18 effective date of this amendatory Act of the 92nd General
19 Assembly. A State Senator or State Representative member may
20 appoint a designee to serve on the McCormick Place Advisory
21 Board in his or her absence.

22 A "member of a minority group" shall mean a person who is a
23 citizen or lawful permanent resident of the United States and
24 who is any of the following:

- 25 (1) American Indian or Alaska Native (a person having
26 origins in any of the original peoples of North and South

1 America, including Central America, and who maintains
2 tribal affiliation or community attachment).

3 (2) Asian (a person having origins in any of the
4 original peoples of the Far East, Southeast Asia, or the
5 Indian subcontinent, including, but not limited to,
6 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
7 the Philippine Islands, Thailand, and Vietnam).

8 (3) Black or African American (a person having origins
9 in any of the black racial groups of Africa).

10 (4) Hispanic or Latino (a person of Cuban, Mexican,
11 Puerto Rican, South or Central American, or other Spanish
12 culture or origin, regardless of race).

13 (5) Native Hawaiian or Other Pacific Islander (a
14 person having origins in any of the original peoples of
15 Hawaii, Guam, Samoa, or other Pacific Islands).

16 (6) Arab (a person having origins in any of the
17 original peoples of Saudi Arabia, United Arab Emirates,
18 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
19 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
20 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

21 Members of the McCormick Place Advisory Board shall serve
22 2-year terms and until their successors are appointed, except
23 members who serve as a result of their elected position whose
24 terms shall continue as long as they hold their designated
25 elected positions. Vacancies shall be filled by appointment
26 for the unexpired term in the same manner as original

1 appointments are made. The McCormick Place Advisory Board
2 shall elect its own chairperson.

3 Members of the McCormick Place Advisory Board shall serve
4 without compensation but, at the Authority's discretion, shall
5 be reimbursed for necessary expenses in connection with the
6 performance of their duties.

7 The McCormick Place Advisory Board shall meet quarterly,
8 or as needed, shall produce any reports it deems necessary,
9 and shall:

10 (1) Work with the Authority on ways to improve the
11 area physically and economically;

12 (2) Work with the Authority regarding potential means
13 for providing increased economic opportunities to
14 minorities and women produced indirectly or directly from
15 the construction and operation of the Expansion Project;

16 (3) Work with the Authority to minimize any potential
17 impact on the area surrounding the McCormick Place
18 Expansion Project, including any impact on minority-owned
19 or women-owned businesses, resulting from the construction
20 and operation of the Expansion Project;

21 (4) Work with the Authority to find candidates for
22 building trades apprenticeships, for employment in the
23 hospitality industry, and to identify job training
24 programs;

25 (5) Work with the Authority to implement the
26 provisions of subsections (a) through (e) of this Section

1 in the construction of the Expansion Project, including
2 the Authority's goal of awarding not less than 25% and 5%
3 of the annual dollar value of contracts to minority-owned
4 and women-owned businesses, the outreach program for
5 minorities and women, and the mentor/protege program for
6 providing assistance to minority-owned and women-owned
7 businesses.

8 (g) The Authority shall comply with subsection (e) of
9 Section 5-42 of the Olympic Games and Paralympic Games (2016)
10 Law. For purposes of this Section, the term "games" has the
11 meaning set forth in the Olympic Games and Paralympic Games
12 (2016) Law.

13 (Source: P.A. 102-465, eff. 1-1-22.)

14 Section 70. The School Code is amended by changing
15 Sections 27-21 and 34-18 as follows:

16 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

17 Sec. 27-21. History of United States. History of the
18 United States shall be taught in all public schools and in all
19 other educational institutions in this State supported or
20 maintained, in whole or in part, by public funds. The teaching
21 of history shall have as one of its objectives the imparting to
22 pupils of a comprehensive idea of our democratic form of
23 government and the principles for which our government stands
24 as regards other nations, including the studying of the place

1 of our government in world-wide movements and the leaders
2 thereof, with particular stress upon the basic principles and
3 ideals of our representative form of government. The teaching
4 of history shall include a study of the role and contributions
5 of African Americans and other ethnic groups, including, but
6 not restricted to, Polish, Lithuanian, German, Hungarian,
7 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,
8 French, Scots, Hispanics, Asian Americans, Arabs, etc., in the
9 history of this country and this State. To reinforce the study
10 of the role and contributions of Hispanics, such curriculum
11 shall include the study of the events related to the forceful
12 removal and illegal deportation of Mexican-American U.S.
13 citizens during the Great Depression. In public schools only,
14 the teaching of history shall include a study of the roles and
15 contributions of lesbian, gay, bisexual, and transgender
16 people in the history of this country and this State. The
17 teaching of history also shall include a study of the role of
18 labor unions and their interaction with government in
19 achieving the goals of a mixed free enterprise system.
20 Beginning with the 2020-2021 school year, the teaching of
21 history must also include instruction on the history of
22 Illinois. The teaching of history shall include the
23 contributions made to society by Americans of different faith
24 practices, including, but not limited to, Muslim Americans,
25 Jewish Americans, Christian Americans, Hindu Americans, Sikh
26 Americans, Buddhist Americans, and any other collective

1 community of faith that has shaped America. No pupils shall be
2 graduated from the eighth grade of any public school unless he
3 or she has received such instruction in the history of the
4 United States and gives evidence of having a comprehensive
5 knowledge thereof, which may be administered remotely.

6 (Source: P.A. 101-227, eff. 7-1-20; 101-341, eff. 1-1-20;
7 101-643, eff. 6-18-20; 102-411, eff. 1-1-22.)

8 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

9 Sec. 34-18. Powers of the board. The board shall exercise
10 general supervision and jurisdiction over the public education
11 and the public school system of the city, and, except as
12 otherwise provided by this Article, shall have power:

13 1. To make suitable provision for the establishment
14 and maintenance throughout the year or for such portion
15 thereof as it may direct, not less than 9 months and in
16 compliance with Section 10-19.05, of schools of all grades
17 and kinds, including normal schools, high schools, night
18 schools, schools for defectives and delinquents, parental
19 and truant schools, schools for the blind, the deaf, and
20 persons with physical disabilities, schools or classes in
21 manual training, constructural and vocational teaching,
22 domestic arts, and physical culture, vocation and
23 extension schools and lecture courses, and all other
24 educational courses and facilities, including
25 establishing, equipping, maintaining and operating

1 playgrounds and recreational programs, when such programs
2 are conducted in, adjacent to, or connected with any
3 public school under the general supervision and
4 jurisdiction of the board; provided that the calendar for
5 the school term and any changes must be submitted to and
6 approved by the State Board of Education before the
7 calendar or changes may take effect, and provided that in
8 allocating funds from year to year for the operation of
9 all attendance centers within the district, the board
10 shall ensure that supplemental general State aid or
11 supplemental grant funds are allocated and applied in
12 accordance with Section 18-8, 18-8.05, or 18-8.15. To
13 admit to such schools without charge foreign exchange
14 students who are participants in an organized exchange
15 student program which is authorized by the board. The
16 board shall permit all students to enroll in
17 apprenticeship programs in trade schools operated by the
18 board, whether those programs are union-sponsored or not.
19 No student shall be refused admission into or be excluded
20 from any course of instruction offered in the common
21 schools by reason of that student's sex. No student shall
22 be denied equal access to physical education and
23 interscholastic athletic programs supported from school
24 district funds or denied participation in comparable
25 physical education and athletic programs solely by reason
26 of the student's sex. Equal access to programs supported

1 from school district funds and comparable programs will be
2 defined in rules promulgated by the State Board of
3 Education in consultation with the Illinois High School
4 Association. Notwithstanding any other provision of this
5 Article, neither the board of education nor any local
6 school council or other school official shall recommend
7 that children with disabilities be placed into regular
8 education classrooms unless those children with
9 disabilities are provided with supplementary services to
10 assist them so that they benefit from the regular
11 classroom instruction and are included on the teacher's
12 regular education class register;

13 2. To furnish lunches to pupils, to make a reasonable
14 charge therefor, and to use school funds for the payment
15 of such expenses as the board may determine are necessary
16 in conducting the school lunch program;

17 3. To co-operate with the circuit court;

18 4. To make arrangements with the public or
19 quasi-public libraries and museums for the use of their
20 facilities by teachers and pupils of the public schools;

21 5. To employ dentists and prescribe their duties for
22 the purpose of treating the pupils in the schools, but
23 accepting such treatment shall be optional with parents or
24 guardians;

25 6. To grant the use of assembly halls and classrooms
26 when not otherwise needed, including light, heat, and

1 attendants, for free public lectures, concerts, and other
2 educational and social interests, free of charge, under
3 such provisions and control as the principal of the
4 affected attendance center may prescribe;

5 7. To apportion the pupils to the several schools;
6 provided that no pupil shall be excluded from or
7 segregated in any such school on account of his color,
8 race, sex, or nationality. The board shall take into
9 consideration the prevention of segregation and the
10 elimination of separation of children in public schools
11 because of color, race, sex, or nationality. Except that
12 children may be committed to or attend parental and social
13 adjustment schools established and maintained either for
14 boys or girls only. All records pertaining to the
15 creation, alteration or revision of attendance areas shall
16 be open to the public. Nothing herein shall limit the
17 board's authority to establish multi-area attendance
18 centers or other student assignment systems for
19 desegregation purposes or otherwise, and to apportion the
20 pupils to the several schools. Furthermore, beginning in
21 school year 1994-95, pursuant to a board plan adopted by
22 October 1, 1993, the board shall offer, commencing on a
23 phased-in basis, the opportunity for families within the
24 school district to apply for enrollment of their children
25 in any attendance center within the school district which
26 does not have selective admission requirements approved by

1 the board. The appropriate geographical area in which such
2 open enrollment may be exercised shall be determined by
3 the board of education. Such children may be admitted to
4 any such attendance center on a space available basis
5 after all children residing within such attendance
6 center's area have been accommodated. If the number of
7 applicants from outside the attendance area exceed the
8 space available, then successful applicants shall be
9 selected by lottery. The board of education's open
10 enrollment plan must include provisions that allow
11 low-income students to have access to transportation
12 needed to exercise school choice. Open enrollment shall be
13 in compliance with the provisions of the Consent Decree
14 and Desegregation Plan cited in Section 34-1.01;

15 8. To approve programs and policies for providing
16 transportation services to students. Nothing herein shall
17 be construed to permit or empower the State Board of
18 Education to order, mandate, or require busing or other
19 transportation of pupils for the purpose of achieving
20 racial balance in any school;

21 9. Subject to the limitations in this Article, to
22 establish and approve system-wide curriculum objectives
23 and standards, including graduation standards, which
24 reflect the multi-cultural diversity in the city and are
25 consistent with State law, provided that for all purposes
26 of this Article courses or proficiency in American Sign

1 Language shall be deemed to constitute courses or
2 proficiency in a foreign language; and to employ
3 principals and teachers, appointed as provided in this
4 Article, and fix their compensation. The board shall
5 prepare such reports related to minimal competency testing
6 as may be requested by the State Board of Education and, in
7 addition, shall monitor and approve special education and
8 bilingual education programs and policies within the
9 district to ensure that appropriate services are provided
10 in accordance with applicable State and federal laws to
11 children requiring services and education in those areas;

12 10. To employ non-teaching personnel or utilize
13 volunteer personnel for: (i) non-teaching duties not
14 requiring instructional judgment or evaluation of pupils,
15 including library duties; and (ii) supervising study
16 halls, long distance teaching reception areas used
17 incident to instructional programs transmitted by
18 electronic media such as computers, video, and audio,
19 detention and discipline areas, and school-sponsored
20 extracurricular activities. The board may further utilize
21 volunteer non-certificated personnel or employ
22 non-certificated personnel to assist in the instruction of
23 pupils under the immediate supervision of a teacher
24 holding a valid certificate, directly engaged in teaching
25 subject matter or conducting activities; provided that the
26 teacher shall be continuously aware of the

1 non-certificated persons' activities and shall be able to
2 control or modify them. The general superintendent shall
3 determine qualifications of such personnel and shall
4 prescribe rules for determining the duties and activities
5 to be assigned to such personnel;

6 10.5. To utilize volunteer personnel from a regional
7 School Crisis Assistance Team (S.C.A.T.), created as part
8 of the Safe to Learn Program established pursuant to
9 Section 25 of the Illinois Violence Prevention Act of
10 1995, to provide assistance to schools in times of
11 violence or other traumatic incidents within a school
12 community by providing crisis intervention services to
13 lessen the effects of emotional trauma on individuals and
14 the community; the School Crisis Assistance Team Steering
15 Committee shall determine the qualifications for
16 volunteers;

17 11. To provide television studio facilities in not to
18 exceed one school building and to provide programs for
19 educational purposes, provided, however, that the board
20 shall not construct, acquire, operate, or maintain a
21 television transmitter; to grant the use of its studio
22 facilities to a licensed television station located in the
23 school district; and to maintain and operate not to exceed
24 one school radio transmitting station and provide programs
25 for educational purposes;

26 12. To offer, if deemed appropriate, outdoor education

1 courses, including field trips within the State of
2 Illinois, or adjacent states, and to use school
3 educational funds for the expense of the said outdoor
4 educational programs, whether within the school district
5 or not;

6 13. During that period of the calendar year not
7 embraced within the regular school term, to provide and
8 conduct courses in subject matters normally embraced in
9 the program of the schools during the regular school term
10 and to give regular school credit for satisfactory
11 completion by the student of such courses as may be
12 approved for credit by the State Board of Education;

13 14. To insure against any loss or liability of the
14 board, the former School Board Nominating Commission,
15 Local School Councils, the Chicago Schools Academic
16 Accountability Council, or the former Subdistrict Councils
17 or of any member, officer, agent, or employee thereof,
18 resulting from alleged violations of civil rights arising
19 from incidents occurring on or after September 5, 1967 or
20 from the wrongful or negligent act or omission of any such
21 person whether occurring within or without the school
22 premises, provided the officer, agent, or employee was, at
23 the time of the alleged violation of civil rights or
24 wrongful act or omission, acting within the scope of his
25 or her employment or under direction of the board, the
26 former School Board Nominating Commission, the Chicago

1 Schools Academic Accountability Council, Local School
2 Councils, or the former Subdistrict Councils; and to
3 provide for or participate in insurance plans for its
4 officers and employees, including, but not limited to,
5 retirement annuities, medical, surgical and
6 hospitalization benefits in such types and amounts as may
7 be determined by the board; provided, however, that the
8 board shall contract for such insurance only with an
9 insurance company authorized to do business in this State.
10 Such insurance may include provision for employees who
11 rely on treatment by prayer or spiritual means alone for
12 healing, in accordance with the tenets and practice of a
13 recognized religious denomination;

14 15. To contract with the corporate authorities of any
15 municipality or the county board of any county, as the
16 case may be, to provide for the regulation of traffic in
17 parking areas of property used for school purposes, in
18 such manner as is provided by Section 11-209 of the
19 Illinois Vehicle Code;

20 16. (a) To provide, on an equal basis, access to a high
21 school campus and student directory information to the
22 official recruiting representatives of the armed forces of
23 Illinois and the United States for the purposes of
24 informing students of the educational and career
25 opportunities available in the military if the board has
26 provided such access to persons or groups whose purpose is

1 to acquaint students with educational or occupational
2 opportunities available to them. The board is not required
3 to give greater notice regarding the right of access to
4 recruiting representatives than is given to other persons
5 and groups. In this paragraph 16, "directory information"
6 means a high school student's name, address, and telephone
7 number.

8 (b) If a student or his or her parent or guardian
9 submits a signed, written request to the high school
10 before the end of the student's sophomore year (or if the
11 student is a transfer student, by another time set by the
12 high school) that indicates that the student or his or her
13 parent or guardian does not want the student's directory
14 information to be provided to official recruiting
15 representatives under subsection (a) of this Section, the
16 high school may not provide access to the student's
17 directory information to these recruiting representatives.
18 The high school shall notify its students and their
19 parents or guardians of the provisions of this subsection
20 (b).

21 (c) A high school may require official recruiting
22 representatives of the armed forces of Illinois and the
23 United States to pay a fee for copying and mailing a
24 student's directory information in an amount that is not
25 more than the actual costs incurred by the high school.

26 (d) Information received by an official recruiting

1 representative under this Section may be used only to
2 provide information to students concerning educational and
3 career opportunities available in the military and may not
4 be released to a person who is not involved in recruiting
5 students for the armed forces of Illinois or the United
6 States;

7 17. (a) To sell or market any computer program
8 developed by an employee of the school district, provided
9 that such employee developed the computer program as a
10 direct result of his or her duties with the school
11 district or through the utilization of school district
12 resources or facilities. The employee who developed the
13 computer program shall be entitled to share in the
14 proceeds of such sale or marketing of the computer
15 program. The distribution of such proceeds between the
16 employee and the school district shall be as agreed upon
17 by the employee and the school district, except that
18 neither the employee nor the school district may receive
19 more than 90% of such proceeds. The negotiation for an
20 employee who is represented by an exclusive bargaining
21 representative may be conducted by such bargaining
22 representative at the employee's request.

23 (b) For the purpose of this paragraph 17:

24 (1) "Computer" means an internally programmed,
25 general purpose digital device capable of
26 automatically accepting data, processing data and

1 supplying the results of the operation.

2 (2) "Computer program" means a series of coded
3 instructions or statements in a form acceptable to a
4 computer, which causes the computer to process data in
5 order to achieve a certain result.

6 (3) "Proceeds" means profits derived from the
7 marketing or sale of a product after deducting the
8 expenses of developing and marketing such product;

9 18. To delegate to the general superintendent of
10 schools, by resolution, the authority to approve contracts
11 and expenditures in amounts of \$10,000 or less;

12 19. Upon the written request of an employee, to
13 withhold from the compensation of that employee any dues,
14 payments, or contributions payable by such employee to any
15 labor organization as defined in the Illinois Educational
16 Labor Relations Act. Under such arrangement, an amount
17 shall be withheld from each regular payroll period which
18 is equal to the pro rata share of the annual dues plus any
19 payments or contributions, and the board shall transmit
20 such withholdings to the specified labor organization
21 within 10 working days from the time of the withholding;

22 19a. Upon receipt of notice from the comptroller of a
23 municipality with a population of 500,000 or more, a
24 county with a population of 3,000,000 or more, the Cook
25 County Forest Preserve District, the Chicago Park
26 District, the Metropolitan Water Reclamation District, the

1 Chicago Transit Authority, or a housing authority of a
2 municipality with a population of 500,000 or more that a
3 debt is due and owing the municipality, the county, the
4 Cook County Forest Preserve District, the Chicago Park
5 District, the Metropolitan Water Reclamation District, the
6 Chicago Transit Authority, or the housing authority by an
7 employee of the Chicago Board of Education, to withhold,
8 from the compensation of that employee, the amount of the
9 debt that is due and owing and pay the amount withheld to
10 the municipality, the county, the Cook County Forest
11 Preserve District, the Chicago Park District, the
12 Metropolitan Water Reclamation District, the Chicago
13 Transit Authority, or the housing authority; provided,
14 however, that the amount deducted from any one salary or
15 wage payment shall not exceed 25% of the net amount of the
16 payment. Before the Board deducts any amount from any
17 salary or wage of an employee under this paragraph, the
18 municipality, the county, the Cook County Forest Preserve
19 District, the Chicago Park District, the Metropolitan
20 Water Reclamation District, the Chicago Transit Authority,
21 or the housing authority shall certify that (i) the
22 employee has been afforded an opportunity for a hearing to
23 dispute the debt that is due and owing the municipality,
24 the county, the Cook County Forest Preserve District, the
25 Chicago Park District, the Metropolitan Water Reclamation
26 District, the Chicago Transit Authority, or the housing

1 authority and (ii) the employee has received notice of a
2 wage deduction order and has been afforded an opportunity
3 for a hearing to object to the order. For purposes of this
4 paragraph, "net amount" means that part of the salary or
5 wage payment remaining after the deduction of any amounts
6 required by law to be deducted and "debt due and owing"
7 means (i) a specified sum of money owed to the
8 municipality, the county, the Cook County Forest Preserve
9 District, the Chicago Park District, the Metropolitan
10 Water Reclamation District, the Chicago Transit Authority,
11 or the housing authority for services, work, or goods,
12 after the period granted for payment has expired, or (ii)
13 a specified sum of money owed to the municipality, the
14 county, the Cook County Forest Preserve District, the
15 Chicago Park District, the Metropolitan Water Reclamation
16 District, the Chicago Transit Authority, or the housing
17 authority pursuant to a court order or order of an
18 administrative hearing officer after the exhaustion of, or
19 the failure to exhaust, judicial review;

20 20. The board is encouraged to employ a sufficient
21 number of certified school counselors to maintain a
22 student/counselor ratio of 250 to 1 by July 1, 1990. Each
23 counselor shall spend at least 75% of his work time in
24 direct contact with students and shall maintain a record
25 of such time;

26 21. To make available to students vocational and

1 career counseling and to establish 5 special career
2 counseling days for students and parents. On these days
3 representatives of local businesses and industries shall
4 be invited to the school campus and shall inform students
5 of career opportunities available to them in the various
6 businesses and industries. Special consideration shall be
7 given to counseling minority students as to career
8 opportunities available to them in various fields. For the
9 purposes of this paragraph, minority student means a
10 person who is any of the following:

11 (a) American Indian or Alaska Native (a person having
12 origins in any of the original peoples of North and South
13 America, including Central America, and who maintains
14 tribal affiliation or community attachment).

15 (b) Asian (a person having origins in any of the
16 original peoples of the Far East, Southeast Asia, or the
17 Indian subcontinent, including, but not limited to,
18 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
19 the Philippine Islands, Thailand, and Vietnam).

20 (c) Black or African American (a person having origins
21 in any of the black racial groups of Africa).

22 (d) Hispanic or Latino (a person of Cuban, Mexican,
23 Puerto Rican, South or Central American, or other Spanish
24 culture or origin, regardless of race).

25 (e) Native Hawaiian or Other Pacific Islander (a
26 person having origins in any of the original peoples of

1 Hawaii, Guam, Samoa, or other Pacific Islands).

2 (f) Arab (a person having origins in any of the
3 original peoples of Saudi Arabia, United Arab Emirates,
4 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
5 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
6 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

7 Counseling days shall not be in lieu of regular school
8 days;

9 22. To report to the State Board of Education the
10 annual student dropout rate and number of students who
11 graduate from, transfer from, or otherwise leave bilingual
12 programs;

13 23. Except as otherwise provided in the Abused and
14 Neglected Child Reporting Act or other applicable State or
15 federal law, to permit school officials to withhold, from
16 any person, information on the whereabouts of any child
17 removed from school premises when the child has been taken
18 into protective custody as a victim of suspected child
19 abuse. School officials shall direct such person to the
20 Department of Children and Family Services or to the local
21 law enforcement agency, if appropriate;

22 24. To develop a policy, based on the current state of
23 existing school facilities, projected enrollment, and
24 efficient utilization of available resources, for capital
25 improvement of schools and school buildings within the
26 district, addressing in that policy both the relative

1 priority for major repairs, renovations, and additions to
2 school facilities and the advisability or necessity of
3 building new school facilities or closing existing schools
4 to meet current or projected demographic patterns within
5 the district;

6 25. To make available to the students in every high
7 school attendance center the ability to take all courses
8 necessary to comply with the Board of Higher Education's
9 college entrance criteria effective in 1993;

10 26. To encourage mid-career changes into the teaching
11 profession, whereby qualified professionals become
12 certified teachers, by allowing credit for professional
13 employment in related fields when determining point of
14 entry on the teacher pay scale;

15 27. To provide or contract out training programs for
16 administrative personnel and principals with revised or
17 expanded duties pursuant to this Code in order to ensure
18 they have the knowledge and skills to perform their
19 duties;

20 28. To establish a fund for the prioritized special
21 needs programs, and to allocate such funds and other lump
22 sum amounts to each attendance center in a manner
23 consistent with the provisions of part 4 of Section
24 34-2.3. Nothing in this paragraph shall be construed to
25 require any additional appropriations of State funds for
26 this purpose;

1 29. (Blank);

2 30. Notwithstanding any other provision of this Act or
3 any other law to the contrary, to contract with third
4 parties for services otherwise performed by employees,
5 including those in a bargaining unit, and to layoff those
6 employees upon 14 days written notice to the affected
7 employees. Those contracts may be for a period not to
8 exceed 5 years and may be awarded on a system-wide basis.
9 The board may not operate more than 30 contract schools,
10 provided that the board may operate an additional 5
11 contract turnaround schools pursuant to item (5.5) of
12 subsection (d) of Section 34-8.3 of this Code, and the
13 governing bodies of contract schools are subject to the
14 Freedom of Information Act and Open Meetings Act;

15 31. To promulgate rules establishing procedures
16 governing the layoff or reduction in force of employees
17 and the recall of such employees, including, but not
18 limited to, criteria for such layoffs, reductions in force
19 or recall rights of such employees and the weight to be
20 given to any particular criterion. Such criteria shall
21 take into account factors, including, but not limited to,
22 qualifications, certifications, experience, performance
23 ratings or evaluations, and any other factors relating to
24 an employee's job performance;

25 32. To develop a policy to prevent nepotism in the
26 hiring of personnel or the selection of contractors;

1 33. (Blank); and

2 34. To establish a Labor Management Council to the
3 board comprised of representatives of the board, the chief
4 executive officer, and those labor organizations that are
5 the exclusive representatives of employees of the board
6 and to promulgate policies and procedures for the
7 operation of the Council.

8 The specifications of the powers herein granted are not to
9 be construed as exclusive, but the board shall also exercise
10 all other powers that may be requisite or proper for the
11 maintenance and the development of a public school system, not
12 inconsistent with the other provisions of this Article or
13 provisions of this Code which apply to all school districts.

14 In addition to the powers herein granted and authorized to
15 be exercised by the board, it shall be the duty of the board to
16 review or to direct independent reviews of special education
17 expenditures and services. The board shall file a report of
18 such review with the General Assembly on or before May 1, 1990.
19 (Source: P.A. 101-12, eff. 7-1-19; 101-88, eff. 1-1-20;
20 102-465, eff. 1-1-22; 102-558, eff. 8-20-21.)

21 Section 75. The Board of Higher Education Act is amended
22 by changing Section 9.16 as follows:

23 (110 ILCS 205/9.16) (from Ch. 144, par. 189.16)

24 Sec. 9.16. Underrepresentation of certain groups in higher

1 education. To require public institutions of higher education
2 to develop and implement methods and strategies to increase
3 the participation of minorities, women and individuals with
4 disabilities who are traditionally underrepresented in
5 education programs and activities. For the purpose of this
6 Section, minorities shall mean persons who are citizens of the
7 United States or lawful permanent resident aliens of the
8 United States and who are any of the following:

9 (1) American Indian or Alaska Native (a person having
10 origins in any of the original peoples of North and South
11 America, including Central America, and who maintains
12 tribal affiliation or community attachment).

13 (2) Asian (a person having origins in any of the
14 original peoples of the Far East, Southeast Asia, or the
15 Indian subcontinent, including, but not limited to,
16 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
17 the Philippine Islands, Thailand, and Vietnam).

18 (3) Black or African American (a person having origins
19 in any of the black racial groups of Africa).

20 (4) Hispanic or Latino (a person of Cuban, Mexican,
21 Puerto Rican, South or Central American, or other Spanish
22 culture or origin, regardless of race).

23 (5) Native Hawaiian or Other Pacific Islander (a
24 person having origins in any of the original peoples of
25 Hawaii, Guam, Samoa, or other Pacific Islands).

26 (6) Arab (a person having origins in any of the

1 original peoples of Saudi Arabia, United Arab Emirates,
2 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
3 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
4 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

5 The Board shall adopt any rules necessary to administer
6 this Section. The Board shall also do the following:

7 (a) require all public institutions of higher education to
8 develop and submit plans for the implementation of this
9 Section;

10 (b) conduct periodic review of public institutions of
11 higher education to determine compliance with this Section;
12 and if the Board finds that a public institution of higher
13 education is not in compliance with this Section, it shall
14 notify the institution of steps to take to attain compliance;

15 (c) provide advice and counsel pursuant to this Section;

16 (d) conduct studies of the effectiveness of methods and
17 strategies designed to increase participation of students in
18 education programs and activities in which minorities, women
19 and individuals with disabilities are traditionally
20 underrepresented, and monitor the success of students in such
21 education programs and activities;

22 (e) encourage minority student recruitment and retention
23 in colleges and universities. In implementing this paragraph,
24 the Board shall undertake but need not be limited to the
25 following: the establishment of guidelines and plans for
26 public institutions of higher education for minority student

1 recruitment and retention, the review and monitoring of
2 minority student programs implemented at public institutions
3 of higher education to determine their compliance with any
4 guidelines and plans so established, the determination of the
5 effectiveness and funding requirements of minority student
6 programs at public institutions of higher education, the
7 dissemination of successful programs as models, and the
8 encouragement of cooperative partnerships between community
9 colleges and local school attendance centers which are
10 experiencing difficulties in enrolling minority students in
11 four-year colleges and universities;

12 (f) mandate all public institutions of higher education to
13 submit data and information essential to determine compliance
14 with this Section. The Board shall prescribe the format and
15 the date for submission of this data and any other education
16 equity data; and

17 (g) report to the General Assembly and the Governor
18 annually with a description of the plans submitted by each
19 public institution of higher education for implementation of
20 this Section, including financial data relating to the most
21 recent fiscal year expenditures for specific minority
22 programs, the effectiveness of such plans and programs and the
23 effectiveness of the methods and strategies developed by the
24 Board in meeting the purposes of this Section, the degree of
25 compliance with this Section by each public institution of
26 higher education as determined by the Board pursuant to its

1 periodic review responsibilities, and the findings made by the
2 Board in conducting its studies and monitoring student success
3 as required by paragraph d) of this Section. With respect to
4 each public institution of higher education such report also
5 shall include, but need not be limited to, information with
6 respect to each institution's minority program budget
7 allocations; minority student admission, retention and
8 graduation statistics; admission, retention, and graduation
9 statistics of all students who are the first in their
10 immediate family to attend an institution of higher education;
11 number of financial assistance awards to undergraduate and
12 graduate minority students; and minority faculty
13 representation. This paragraph shall not be construed to
14 prohibit the Board from making, preparing or issuing
15 additional surveys or studies with respect to minority
16 education in Illinois.

17 (Source: P.A. 102-465, eff. 1-1-22.)

18 Section 80. The Dental Student Grant Act is amended by
19 changing Section 3.07 as follows:

20 (110 ILCS 925/3.07) (from Ch. 144, par. 1503.07)

21 Sec. 3.07. "Racial minority" means a person who is any of
22 the following:

23 (1) American Indian or Alaska Native (a person having
24 origins in any of the original peoples of North and South

1 America, including Central America, and who maintains
2 tribal affiliation or community attachment).

3 (2) Asian (a person having origins in any of the
4 original peoples of the Far East, Southeast Asia, or the
5 Indian subcontinent, including, but not limited to,
6 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
7 the Philippine Islands, Thailand, and Vietnam).

8 (3) Black or African American (a person having origins
9 in any of the black racial groups of Africa).

10 (4) Hispanic or Latino (a person of Cuban, Mexican,
11 Puerto Rican, South or Central American, or other Spanish
12 culture or origin, regardless of race).

13 (5) Native Hawaiian or Other Pacific Islander (a
14 person having origins in any of the original peoples of
15 Hawaii, Guam, Samoa, or other Pacific Islands).

16 (6) Arab (a person having origins in any of the
17 original peoples of Saudi Arabia, United Arab Emirates,
18 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
19 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
20 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

21 (Source: P.A. 102-465, eff. 1-1-22.)

22 Section 85. The Diversifying Higher Education Faculty in
23 Illinois Act is amended by changing Section 2 as follows:

24 (110 ILCS 930/2) (from Ch. 144, par. 2302)

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

3 "Board" means the Board of Higher Education.

4 "DFI" means the Diversifying Higher Education Faculty in
5 Illinois Program of financial assistance to minorities who are
6 traditionally underrepresented as participants in
7 postsecondary education. The program shall assist them in
8 pursuing a graduate or professional degree and shall also
9 assist program graduates to find employment at an Illinois
10 institution of higher education, including a community
11 college, in a faculty or staff position.

12 "Program Board" means the entity created to administer the
13 grant program authorized by this Act.

14 "Qualified institution of higher education" means a
15 qualifying publicly or privately operated educational
16 institution located within Illinois (i) that offers
17 instruction leading toward or prerequisite to an academic or
18 professional degree beyond the baccalaureate degree, excluding
19 theological schools, and (ii) that is authorized to operate in
20 the State of Illinois.

21 "Racial minority" means a person who is a citizen of the
22 United States or a lawful permanent resident alien of the
23 United States and who is any of the following:

24 (1) American Indian or Alaska Native (a person having
25 origins in any of the original peoples of North and South
26 America, including Central America, and who maintains

1 tribal affiliation or community attachment).

2 (2) Asian (a person having origins in any of the
3 original peoples of the Far East, Southeast Asia, or the
4 Indian subcontinent, including, but not limited to,
5 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
6 the Philippine Islands, Thailand, and Vietnam).

7 (3) Black or African American (a person having origins
8 in any of the black racial groups of Africa).

9 (4) Hispanic or Latino (a person of Cuban, Mexican,
10 Puerto Rican, South or Central American, or other Spanish
11 culture or origin, regardless of race).

12 (5) Native Hawaiian or Other Pacific Islander (a
13 person having origins in any of the original peoples of
14 Hawaii, Guam, Samoa, or other Pacific Islands).

15 (6) Arab (a person having origins in any of the
16 original peoples of Saudi Arabia, United Arab Emirates,
17 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
18 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
19 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

20 (Source: P.A. 102-465, eff. 1-1-22.)

21 Section 90. The Higher Education Student Assistance Act is
22 amended by changing Sections 50, 65.30, and 65.110 as follows:

23 (110 ILCS 947/50)

24 Sec. 50. Minority Teachers of Illinois scholarship

1 program.

2 (a) As used in this Section:

3 "Eligible applicant" means a minority student who has
4 graduated from high school or has received a high school
5 equivalency certificate and has maintained a cumulative
6 grade point average of no less than 2.5 on a 4.0 scale, and
7 who by reason thereof is entitled to apply for
8 scholarships to be awarded under this Section.

9 "Minority student" means a student who is any of the
10 following:

11 (1) American Indian or Alaska Native (a person
12 having origins in any of the original peoples of North
13 and South America, including Central America, and who
14 maintains tribal affiliation or community attachment).

15 (2) Asian (a person having origins in any of the
16 original peoples of the Far East, Southeast Asia, or
17 the Indian subcontinent, including, but not limited
18 to, Cambodia, China, India, Japan, Korea, Malaysia,
19 Pakistan, the Philippine Islands, Thailand, and
20 Vietnam).

21 (3) Black or African American (a person having
22 origins in any of the black racial groups of Africa).

23 (4) Hispanic or Latino (a person of Cuban,
24 Mexican, Puerto Rican, South or Central American, or
25 other Spanish culture or origin, regardless of race).

26 (5) Native Hawaiian or Other Pacific Islander (a

1 person having origins in any of the original peoples
2 of Hawaii, Guam, Samoa, or other Pacific Islands).

3 (6) Arab (a person having origins in any of the
4 original peoples of Saudi Arabia, United Arab
5 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait,
6 Lebanon, Libya, Mauritania, Morocco, Djibouti,
7 Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan,
8 Tunisia, Egypt, or Algeria).

9 "Qualified bilingual minority applicant" means a
10 qualified student who demonstrates proficiency in a
11 language other than English by (i) receiving a State Seal
12 of Biliteracy from the State Board of Education or (ii)
13 receiving a passing score on an educator licensure target
14 language proficiency test.

15 "Qualified student" means a person (i) who is a
16 resident of this State and a citizen or permanent resident
17 of the United States; (ii) who is a minority student, as
18 defined in this Section; (iii) who, as an eligible
19 applicant, has made a timely application for a minority
20 teaching scholarship under this Section; (iv) who is
21 enrolled on at least a half-time basis at a qualified
22 Illinois institution of higher learning; (v) who is
23 enrolled in a course of study leading to teacher
24 licensure, including alternative teacher licensure, or, if
25 the student is already licensed to teach, in a course of
26 study leading to an additional teaching endorsement or a

1 master's degree in an academic field in which he or she is
2 teaching or plans to teach or who has received one or more
3 College and Career Pathway Endorsements pursuant to
4 Section 80 of the Postsecondary and Workforce Readiness
5 Act and commits to enrolling in a course of study leading
6 to teacher licensure, including alternative teacher
7 licensure; (vi) who maintains a grade point average of no
8 less than 2.5 on a 4.0 scale; and (vii) who continues to
9 advance satisfactorily toward the attainment of a degree.

10 (b) In order to encourage academically talented Illinois
11 minority students to pursue teaching careers at the preschool
12 or elementary or secondary school level and to address and
13 alleviate the teacher shortage crisis in this State described
14 under the provisions of the Transitions in Education Act, each
15 qualified student shall be awarded a minority teacher
16 scholarship to any qualified Illinois institution of higher
17 learning. However, preference may be given to qualified
18 applicants enrolled at or above the junior level.

19 (c) Each minority teacher scholarship awarded under this
20 Section shall be in an amount sufficient to pay the tuition and
21 fees and room and board costs of the qualified Illinois
22 institution of higher learning at which the recipient is
23 enrolled, up to an annual maximum of \$5,000; except that in the
24 case of a recipient who does not reside on-campus at the
25 institution at which he or she is enrolled, the amount of the
26 scholarship shall be sufficient to pay tuition and fee

1 expenses and a commuter allowance, up to an annual maximum of
2 \$5,000. However, if at least \$2,850,000 is appropriated in a
3 given fiscal year for the Minority Teachers of Illinois
4 scholarship program, then, in each fiscal year thereafter,
5 each scholarship awarded under this Section shall be in an
6 amount sufficient to pay the tuition and fees and room and
7 board costs of the qualified Illinois institution of higher
8 learning at which the recipient is enrolled, up to an annual
9 maximum of \$7,500; except that in the case of a recipient who
10 does not reside on-campus at the institution at which he or she
11 is enrolled, the amount of the scholarship shall be sufficient
12 to pay tuition and fee expenses and a commuter allowance, up to
13 an annual maximum of \$7,500.

14 (d) The total amount of minority teacher scholarship
15 assistance awarded by the Commission under this Section to an
16 individual in any given fiscal year, when added to other
17 financial assistance awarded to that individual for that year,
18 shall not exceed the cost of attendance at the institution at
19 which the student is enrolled. If the amount of minority
20 teacher scholarship to be awarded to a qualified student as
21 provided in subsection (c) of this Section exceeds the cost of
22 attendance at the institution at which the student is
23 enrolled, the minority teacher scholarship shall be reduced by
24 an amount equal to the amount by which the combined financial
25 assistance available to the student exceeds the cost of
26 attendance.

1 (e) The maximum number of academic terms for which a
2 qualified student can receive minority teacher scholarship
3 assistance shall be 8 semesters or 12 quarters.

4 (f) In any academic year for which an eligible applicant
5 under this Section accepts financial assistance through the
6 Paul Douglas Teacher Scholarship Program, as authorized by
7 Section 551 et seq. of the Higher Education Act of 1965, the
8 applicant shall not be eligible for scholarship assistance
9 awarded under this Section.

10 (g) All applications for minority teacher scholarships to
11 be awarded under this Section shall be made to the Commission
12 on forms which the Commission shall provide for eligible
13 applicants. The form of applications and the information
14 required to be set forth therein shall be determined by the
15 Commission, and the Commission shall require eligible
16 applicants to submit with their applications such supporting
17 documents or recommendations as the Commission deems
18 necessary.

19 (h) Subject to a separate appropriation for such purposes,
20 payment of any minority teacher scholarship awarded under this
21 Section shall be determined by the Commission. All scholarship
22 funds distributed in accordance with this subsection shall be
23 paid to the institution and used only for payment of the
24 tuition and fee and room and board expenses incurred by the
25 student in connection with his or her attendance at a
26 qualified Illinois institution of higher learning. Any

1 minority teacher scholarship awarded under this Section shall
2 be applicable to 2 semesters or 3 quarters of enrollment. If a
3 qualified student withdraws from enrollment prior to
4 completion of the first semester or quarter for which the
5 minority teacher scholarship is applicable, the school shall
6 refund to the Commission the full amount of the minority
7 teacher scholarship.

8 (i) The Commission shall administer the minority teacher
9 scholarship aid program established by this Section and shall
10 make all necessary and proper rules not inconsistent with this
11 Section for its effective implementation.

12 (j) When an appropriation to the Commission for a given
13 fiscal year is insufficient to provide scholarships to all
14 qualified students, the Commission shall allocate the
15 appropriation in accordance with this subsection. If funds are
16 insufficient to provide all qualified students with a
17 scholarship as authorized by this Section, the Commission
18 shall allocate the available scholarship funds for that fiscal
19 year to qualified students who submit a complete application
20 form on or before a date specified by the Commission based on
21 the following order of priority:

22 (1) To students who received a scholarship under this
23 Section in the prior academic year and who remain eligible
24 for a minority teacher scholarship under this Section.

25 (2) Except as otherwise provided in subsection (k), to
26 students who demonstrate financial need, as determined by

1 the Commission.

2 (k) Notwithstanding paragraph (2) of subsection (j), at
3 least 35% of the funds appropriated for scholarships awarded
4 under this Section in each fiscal year shall be reserved for
5 qualified male minority applicants, with priority being given
6 to qualified Black male applicants beginning with fiscal year
7 2023. If the Commission does not receive enough applications
8 from qualified male minorities on or before January 1 of each
9 fiscal year to award 35% of the funds appropriated for these
10 scholarships to qualified male minority applicants, then the
11 Commission may award a portion of the reserved funds to
12 qualified female minority applicants in accordance with
13 subsection (j).

14 Beginning with fiscal year 2023, if at least \$2,850,000
15 but less than \$4,200,000 is appropriated in a given fiscal
16 year for scholarships awarded under this Section, then at
17 least 10% of the funds appropriated shall be reserved for
18 qualified bilingual minority applicants, with priority being
19 given to qualified bilingual minority applicants who are
20 enrolled in an educator preparation program with a
21 concentration in bilingual, bicultural education. Beginning
22 with fiscal year 2023, if at least \$4,200,000 is appropriated
23 in a given fiscal year for the Minority Teachers of Illinois
24 scholarship program, then at least 30% of the funds
25 appropriated shall be reserved for qualified bilingual
26 minority applicants, with priority being given to qualified

1 bilingual minority applicants who are enrolled in an educator
2 preparation program with a concentration in bilingual,
3 bicultural education. Beginning with fiscal year 2023, if at
4 least \$2,850,000 is appropriated in a given fiscal year for
5 scholarships awarded under this Section but the Commission
6 does not receive enough applications from qualified bilingual
7 minority applicants on or before January 1 of that fiscal year
8 to award at least 10% of the funds appropriated to qualified
9 bilingual minority applicants, then the Commission may, in its
10 discretion, award a portion of the reserved funds to other
11 qualified students in accordance with subsection (j).

12 (1) Prior to receiving scholarship assistance for any
13 academic year, each recipient of a minority teacher
14 scholarship awarded under this Section shall be required by
15 the Commission to sign an agreement under which the recipient
16 pledges that, within the one-year period following the
17 termination of the program for which the recipient was awarded
18 a minority teacher scholarship, the recipient (i) shall begin
19 teaching for a period of not less than one year for each year
20 of scholarship assistance he or she was awarded under this
21 Section; (ii) shall fulfill this teaching obligation at a
22 nonprofit Illinois public, private, or parochial preschool,
23 elementary school, or secondary school at which no less than
24 30% of the enrolled students are minority students in the year
25 during which the recipient begins teaching at the school or
26 may instead, if the recipient received a scholarship as a

1 qualified bilingual minority applicant, fulfill this teaching
2 obligation in a program in transitional bilingual education
3 pursuant to Article 14C of the School Code or in a school in
4 which 20 or more English learner students in the same language
5 classification are enrolled; and (iii) shall, upon request by
6 the Commission, provide the Commission with evidence that he
7 or she is fulfilling or has fulfilled the terms of the teaching
8 agreement provided for in this subsection.

9 (m) If a recipient of a minority teacher scholarship
10 awarded under this Section fails to fulfill the teaching
11 obligation set forth in subsection (1) of this Section, the
12 Commission shall require the recipient to repay the amount of
13 the scholarships received, prorated according to the fraction
14 of the teaching obligation not completed, at a rate of
15 interest equal to 5%, and, if applicable, reasonable
16 collection fees. The Commission is authorized to establish
17 rules relating to its collection activities for repayment of
18 scholarships under this Section. All repayments collected
19 under this Section shall be forwarded to the State Comptroller
20 for deposit into the State's General Revenue Fund.

21 (n) A recipient of minority teacher scholarship shall not
22 be considered in violation of the agreement entered into
23 pursuant to subsection (1) if the recipient (i) enrolls on a
24 full time basis as a graduate student in a course of study
25 related to the field of teaching at a qualified Illinois
26 institution of higher learning; (ii) is serving, not in excess

1 of 3 years, as a member of the armed services of the United
2 States; (iii) is a person with a temporary total disability
3 for a period of time not to exceed 3 years as established by
4 sworn affidavit of a qualified physician; (iv) is seeking and
5 unable to find full time employment as a teacher at an Illinois
6 public, private, or parochial preschool or elementary or
7 secondary school that satisfies the criteria set forth in
8 subsection (l) of this Section and is able to provide evidence
9 of that fact; (v) becomes a person with a permanent total
10 disability as established by sworn affidavit of a qualified
11 physician; (vi) is taking additional courses, on at least a
12 half-time basis, needed to obtain licensure as a teacher in
13 Illinois; or (vii) is fulfilling teaching requirements
14 associated with other programs administered by the Commission
15 and cannot concurrently fulfill them under this Section in a
16 period of time equal to the length of the teaching obligation.

17 (o) Scholarship recipients under this Section who withdraw
18 from a program of teacher education but remain enrolled in
19 school to continue their postsecondary studies in another
20 academic discipline shall not be required to commence
21 repayment of their Minority Teachers of Illinois scholarship
22 so long as they remain enrolled in school on a full-time basis
23 or if they can document for the Commission special
24 circumstances that warrant extension of repayment.

25 (p) If the Minority Teachers of Illinois scholarship
26 program does not expend at least 90% of the amount

1 appropriated for the program in a given fiscal year for 3
2 consecutive fiscal years and the Commission does not receive
3 enough applications from the groups identified in subsection
4 (k) on or before January 1 in each of those fiscal years to
5 meet the percentage reserved for those groups under subsection
6 (k), then up to 3% of amount appropriated for the program for
7 each of next 3 fiscal years shall be allocated to increasing
8 awareness of the program and for the recruitment of Black male
9 applicants. The Commission shall make a recommendation to the
10 General Assembly by January 1 of the year immediately
11 following the end of that third fiscal year regarding whether
12 the amount allocated to increasing awareness and recruitment
13 should continue.

14 (q) Each qualified Illinois institution of higher learning
15 that receives funds from the Minority Teachers of Illinois
16 scholarship program shall host an annual information session
17 at the institution about the program for teacher candidates of
18 color in accordance with rules adopted by the Commission.
19 Additionally, the institution shall ensure that each
20 scholarship recipient enrolled at the institution meets with
21 an academic advisor at least once per academic year to
22 facilitate on-time completion of the recipient's educator
23 preparation program.

24 (r) The changes made to this Section by Public Act 101-654
25 ~~this amendatory Act of the 101st General Assembly~~ will first
26 take effect with awards made for the 2022-2023 academic year.

1 (Source: P.A. 101-654, eff. 3-8-21; 102-465, eff. 1-1-22;
2 revised 9-28-21.)

3 (110 ILCS 947/65.30)

4 Sec. 65.30. Equal opportunity scholarships.

5 (a) The Commission may annually award a number of
6 scholarships to students who are interested in pursuing
7 studies in educational administration. Such scholarships shall
8 be issued to students who make application to the Commission
9 and who agree to take courses at qualified institutions of
10 higher learning that will allow them to complete a degree in
11 educational administration.

12 (b) Scholarships awarded under this Section shall be
13 issued pursuant to regulations promulgated by the Commission;
14 provided that no rule or regulation promulgated by the State
15 Board of Education prior to the effective date of this
16 amendatory Act of 1993 pursuant to the exercise of any right,
17 power, duty, responsibility or matter of pending business
18 transferred from the State Board of Education to the
19 Commission under this Section shall be affected thereby, and
20 all such rules and regulations shall become the rules and
21 regulations of the Commission until modified or changed by the
22 Commission in accordance with law.

23 (c) Such scholarships shall be utilized for the payment of
24 tuition and non-revenue bond fees at any qualified institution
25 of higher learning. Such tuition and fees shall only be

1 available for courses that will enable the student to complete
2 training in educational administration. The Commission shall
3 determine which courses are eligible for tuition payments
4 under this Section.

5 (d) The Commission may make tuition payments directly to
6 the qualified institution of higher learning which the student
7 attends for the courses prescribed or may make payments to the
8 student. Any student who receives payments and who fails to
9 enroll in the courses prescribed shall refund the payments to
10 the Commission.

11 (e) The Commission, with the cooperation of the State
12 Board of Education, shall assist students who have
13 participated in the scholarship program established by this
14 Section in finding employment in positions relating to
15 educational administration.

16 (f) Appropriations for the scholarships outlined in this
17 Section shall be made to the Commission from funds
18 appropriated by the General Assembly.

19 (g) This Section is substantially the same as Section
20 30-4d of the School Code, which Section is repealed by this
21 amendatory Act of 1993, and shall be construed as a
22 continuation of the equal opportunity scholarship program
23 established under that prior law, and not as a new or different
24 equal opportunity scholarship program. The State Board of
25 Education shall transfer to the Commission, as the successor
26 to the State Board of Education for all purposes of

1 administering and implementing the provisions of this Section,
2 all books, accounts, records, papers, documents, contracts,
3 agreements, and pending business in any way relating to the
4 equal opportunity scholarship program continued under this
5 Section; and all scholarships at any time awarded under that
6 program by, and all applications for any such scholarship at
7 any time made to, the State Board of Education shall be
8 unaffected by the transfer to the Commission of all
9 responsibility for the administration and implementation of
10 the equal opportunity scholarship program continued under this
11 Section. The State Board of Education shall furnish to the
12 Commission such other information as the Commission may
13 request to assist it in administering this Section.

14 (h) For purposes of this Section:

15 (1) "Qualified institution of higher learning" means
16 the University of Illinois; Southern Illinois University;
17 Chicago State University; Eastern Illinois University;
18 Governors State University; Illinois State University;
19 Northeastern Illinois University; Northern Illinois
20 University; Western Illinois University; the public
21 community colleges of the State; any other public
22 universities, colleges and community colleges now or
23 hereafter established or authorized by the General
24 Assembly; and any Illinois privately operated, not for
25 profit institution located in this State which provides at
26 least an organized 2-year program of collegiate grade in

1 liberal arts or sciences, or both, directly applicable
2 toward the attainment of a baccalaureate or graduate
3 degree.

4 (2) "Racial minority" means a person who is any of the
5 following:

6 (1) American Indian or Alaska Native (a person
7 having origins in any of the original peoples of North
8 and South America, including Central America, and who
9 maintains tribal affiliation or community attachment).

10 (2) Asian (a person having origins in any of the
11 original peoples of the Far East, Southeast Asia, or
12 the Indian subcontinent, including, but not limited
13 to, Cambodia, China, India, Japan, Korea, Malaysia,
14 Pakistan, the Philippine Islands, Thailand, and
15 Vietnam).

16 (3) Black or African American (a person having
17 origins in any of the black racial groups of Africa).

18 (4) Hispanic or Latino (a person of Cuban,
19 Mexican, Puerto Rican, South or Central American, or
20 other Spanish culture or origin, regardless of race).

21 (5) Native Hawaiian or Other Pacific Islander (a
22 person having origins in any of the original peoples
23 of Hawaii, Guam, Samoa, or other Pacific Islands).

24 (6) Arab (a person having origins in any of the
25 original peoples of Saudi Arabia, United Arab
26 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait,

1 Lebanon, Libya, Mauritania, Morocco, Djibouti,
2 Somalia, Palestine, Oman, Syria, Yemen, Qatar, Sudan,
3 Tunisia, Egypt, or Algeria).

4 (3) "Student" means a woman or racial minority.

5 (Source: P.A. 102-465, eff. 1-1-22.)

6 (110 ILCS 947/65.110)

7 Sec. 65.110. Post-Master of Social Work School Social Work
8 Professional Educator License scholarship.

9 (a) Subject to appropriation, beginning with awards for
10 the 2022-2023 academic year, the Commission shall award
11 annually up to 250 Post-Master of Social Work School Social
12 Work Professional Educator License scholarships to a person
13 who:

14 (1) holds a valid Illinois-licensed clinical social
15 work license or social work license;

16 (2) has obtained a master's degree in social work from
17 an approved program;

18 (3) is a United States citizen or eligible noncitizen;
19 and

20 (4) submits an application to the Commission for such
21 scholarship and agrees to take courses to obtain an
22 Illinois Professional Educator License with an endorsement
23 in School Social Work.

24 (b) If an appropriation for this Section for a given
25 fiscal year is insufficient to provide scholarships to all

1 qualified applicants, the Commission shall allocate the
2 appropriation in accordance with this subsection (b). If funds
3 are insufficient to provide all qualified applicants with a
4 scholarship as authorized by this Section, the Commission
5 shall allocate the available scholarship funds for that fiscal
6 year to qualified applicants who submit a complete application
7 on or before a date specified by the Commission, based on the
8 following order of priority:

9 (1) firstly, to students who received a scholarship
10 under this Section in the prior academic year and who
11 remain eligible for a scholarship under this Section;

12 (2) secondly, to new, qualified applicants who are
13 members of a racial minority, as defined in subsection
14 (c); and

15 (3) finally, to other new, qualified applicants in
16 accordance with this Section.

17 (c) Scholarships awarded under this Section shall be
18 issued pursuant to rules adopted by the Commission. In
19 awarding scholarships, the Commission shall give priority to
20 those applicants who are members of a racial minority. Racial
21 minorities are underrepresented as school social workers in
22 elementary and secondary schools in this State, and the
23 General Assembly finds that it is in the interest of this State
24 to provide them with priority consideration for programs that
25 encourage their participation in this field and thereby foster
26 a profession that is more reflective of the diversity of

1 Illinois students and the parents they will serve. A more
2 reflective workforce in school social work allows improved
3 outcomes for students and a better utilization of services.
4 Therefore, the Commission shall give priority to those
5 applicants who are members of a racial minority. In this
6 subsection (c), "racial minority" means a person who is a
7 citizen of the United States or a lawful permanent resident
8 alien of the United States and who is:

9 (1) Black (a person having origins in any of the black
10 racial groups in Africa);

11 (2) Hispanic (a person of Spanish or Portuguese
12 culture with origins in Mexico, South or Central America,
13 or the Caribbean Islands, regardless of race);

14 (3) Asian American (a person having origins in any of
15 the original peoples of the Far East, Southeast Asia, the
16 Indian Subcontinent, or the Pacific Islands); ~~or~~

17 (4) American Indian or Alaskan Native (a person having
18 origins in any of the original peoples of North America);
19 or.

20 (5) Arab (a person having origins in any of the
21 original peoples of Saudi Arabia, United Arab Emirates,
22 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
23 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
24 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

25 (d) Each scholarship shall be applied to the payment of
26 tuition and mandatory fees at the University of Illinois,

1 Southern Illinois University, Chicago State University,
2 Eastern Illinois University, Governors State University,
3 Illinois State University, Northeastern Illinois University,
4 Northern Illinois University, and Western Illinois University.
5 Each scholarship may be applied to pay tuition and mandatory
6 fees required to obtain an Illinois Professional Educator
7 License with an endorsement in School Social Work.

8 (e) The Commission shall make tuition and fee payments
9 directly to the qualified institution of higher learning that
10 the applicant attends.

11 (f) Any person who has accepted a scholarship under this
12 Section must, within one year after graduation or termination
13 of enrollment in a Post-Master of Social Work Professional
14 Education License with an endorsement in School Social Work
15 program, begin working as a school social worker at a public or
16 nonpublic not-for-profit preschool, elementary school, or
17 secondary school located in this State for at least 2 of the 5
18 years immediately following that graduation or termination,
19 excluding, however, from the computation of that 5-year
20 period: (i) any time up to 3 years spent in the military
21 service, whether such service occurs before or after the
22 person graduates; (ii) the time that person is a person with a
23 temporary total disability for a period of time not to exceed 3
24 years, as established by the sworn affidavit of a qualified
25 physician; and (iii) the time that person is seeking and
26 unable to find full-time employment as a school social worker

1 at a State public or nonpublic not-for-profit preschool,
2 elementary school, or secondary school.

3 (g) If a recipient of a scholarship under this Section
4 fails to fulfill the work obligation set forth in subsection
5 (f), the Commission shall require the recipient to repay the
6 amount of the scholarships received, prorated according to the
7 fraction of the obligation not completed, at a rate of
8 interest equal to 5%, and, if applicable, reasonable
9 collection fees. The Commission is authorized to establish
10 rules relating to its collection activities for repayment of
11 scholarships under this Section. All repayments collected
12 under this Section shall be forwarded to the State Comptroller
13 for deposit into this State's General Revenue Fund.

14 A recipient of a scholarship under this Section is not
15 considered to be in violation of the failure to fulfill the
16 work obligation under subsection (f) if the recipient (i)
17 enrolls on a full-time basis as a graduate student in a course
18 of study related to the field of social work at a qualified
19 Illinois institution of higher learning; (ii) is serving, not
20 in excess of 3 years, as a member of the armed services of the
21 United States; (iii) is a person with a temporary total
22 disability for a period of time not to exceed 3 years, as
23 established by the sworn affidavit of a qualified physician;
24 (iv) is seeking and unable to find full-time employment as a
25 school social worker at an Illinois public or nonpublic
26 not-for-profit preschool, elementary school, or secondary

1 school that satisfies the criteria set forth in subsection (f)
2 and is able to provide evidence of that fact; or (v) becomes a
3 person with a permanent total disability, as established by
4 the sworn affidavit of a qualified physician.

5 (Source: P.A. 102-621, eff. 1-1-22.)

6 Section 95. The Illinois Insurance Code is amended by
7 changing Section 500-50 as follows:

8 (215 ILCS 5/500-50)

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

10 Sec. 500-50. Insurance producers; examination statistics.

11 (a) The use of examinations for the purpose of determining
12 qualifications of persons to be licensed as insurance
13 producers has a direct and far-reaching effect on persons
14 seeking those licenses, on insurance companies, and on the
15 public. It is in the public interest and it will further the
16 public welfare to insure that examinations for licensing do
17 not have the effect of unlawfully discriminating against
18 applicants for licensing as insurance producers on the basis
19 of race, color, national origin, or sex.

20 (b) As used in this Section, the following words have the
21 meanings given in this subsection.

22 Examination. "Examination" means the examination in each
23 line of insurance administered pursuant to Section 500-30.

24 Examinee. "Examinee" means a person who takes an

1 examination.

2 Part. "Part" means a portion of an examination for which a
3 score is calculated.

4 Operational item. "Operational item" means a test question
5 considered in determining an examinee's score.

6 Test form. "Test form" means the test booklet or
7 instrument used for a part of an examination.

8 Pretest item. "Pretest item" means a prospective test
9 question that is included in a test form in order to assess its
10 performance, but is not considered in determining an
11 examinee's score.

12 Minority group or examinees. "Minority group" or "minority
13 examinees" means examinees who are American Indian or Alaska
14 Native, Asian, Black or African American, Hispanic or Latino,
15 ~~or~~ Native Hawaiian or Other Pacific Islander, or Arab.

16 Correct-answer rate. "Correct-answer rate" for an item
17 means the number of examinees who provided the correct answer
18 on an item divided by the number of examinees who answered the
19 item.

20 Correlation. "Correlation" means a statistical measure of
21 the relationship between performance on an item and
22 performance on a part of the examination.

23 (c) The Director shall ask each examinee to self-report on
24 a voluntary basis on the answer sheet, application form, or by
25 other appropriate means, the following information:

26 (1) race or ethnicity (American Indian or Alaska

1 Native, Asian, Black or African American, Hispanic or
2 Latino, Native Hawaiian or Other Pacific Islander, Arab,
3 or White);

4 (2) education (8th grade or less; less than 12th
5 grade; high school diploma or high school equivalency
6 certificate; some college, but no 4-year degree; or 4-year
7 degree or more); and

8 (3) gender (male or female).

9 The Director must advise all examinees that they are not
10 required to provide this information, that they will not be
11 penalized for not doing so, and that the Director will use the
12 information provided exclusively for research and statistical
13 purposes and to improve the quality and fairness of the
14 examinations.

15 (d) No later than May 1 of each year, the Director must
16 prepare, publicly announce, and publish an Examination Report
17 of summary statistical information relating to each
18 examination administered during the preceding calendar year.
19 Each Examination Report shall show with respect to each
20 examination:

21 (1) For all examinees combined and separately by race
22 or ethnicity, by educational level, by gender, by
23 educational level within race or ethnicity, by education
24 level within gender, and by race or ethnicity within
25 gender:

26 (A) number of examinees;

1 (B) percentage and number of examinees who passed
2 each part;

3 (C) percentage and number of examinees who passed
4 all parts;

5 (D) mean scaled scores on each part; and

6 (E) standard deviation of scaled scores on each
7 part.

8 (2) For male examinees, female examinees, Black or
9 African American examinees, white examinees, American
10 Indian or Alaska Native examinees, Asian examinees,
11 Hispanic or Latino examinees, ~~and~~ Native Hawaiian or Other
12 Pacific Islander examinees, and Arab examinees,
13 respectively, with a high school diploma or high school
14 equivalency certificate, the distribution of scaled scores
15 on each part.

16 No later than May 1 of each year, the Director must prepare
17 and make available on request an Item Report of summary
18 statistical information relating to each operational item on
19 each test form administered during the preceding calendar
20 year. The Item Report shall show, for each operational item,
21 for all examinees combined and separately for Black or African
22 American examinees, white examinees, American Indian or Alaska
23 Native examinees, Asian examinees, Hispanic or Latino
24 examinees, ~~and~~ Native Hawaiian or Other Pacific Islander
25 examinees, and Arab examinees, the correct-answer rates and
26 correlations.

1 The Director is not required to report separate
2 statistical information for any group or subgroup comprising
3 fewer than 50 examinees.

4 (e) The Director must obtain a regular analysis of the
5 data collected under this Section, and any other relevant
6 information, for purposes of the development of new test
7 forms. The analysis shall continue the implementation of the
8 item selection methodology as recommended in the Final Report
9 of the Illinois Insurance Producer's Licensing Examination
10 Advisory Committee dated November 19, 1991, and filed with the
11 Department unless some other methodology is determined by the
12 Director to be as effective in minimizing differences between
13 white and minority examinee pass-fail rates.

14 (f) The Director has the discretion to set cutoff scores
15 for the examinations, provided that scaled scores on test
16 forms administered after July 1, 1993, shall be made
17 comparable to scaled scores on test forms administered in 1991
18 by use of professionally acceptable methods so as to minimize
19 changes in passing rates related to the presence or absence of
20 or changes in equating or scaling equations or methods or
21 content outlines. Each calendar year, the scaled cutoff score
22 for each part of each examination shall fluctuate by no more
23 than the standard error of measurement from the scaled cutoff
24 score employed during the preceding year.

25 (g) No later than May 1, 2003 and no later than May 1 of
26 every fourth year thereafter, the Director must release to the

1 public and make generally available one representative test
2 form and set of answer keys for each part of each examination.

3 (h) The Director must maintain, for a period of 3 years
4 after they are prepared or used, all registration forms, test
5 forms, answer sheets, operational items and pretest items,
6 item analyses, and other statistical analyses relating to the
7 examinations. All personal identifying information regarding
8 examinees and the content of test items must be maintained
9 confidentially as necessary for purposes of protecting the
10 personal privacy of examinees and the maintenance of test
11 security.

12 (i) In administering the examinations, the Director must
13 make such accommodations for examinees with disabilities as
14 are reasonably warranted by the particular disability
15 involved, including the provision of additional time if
16 necessary to complete an examination or special assistance in
17 taking an examination.

18 (j) For the purposes of this Section:

19 (1) "American Indian or Alaska Native" means a person
20 having origins in any of the original peoples of North and
21 South America, including Central America, and who
22 maintains tribal affiliation or community attachment.

23 (2) "Asian" means a person having origins in any of
24 the original peoples of the Far East, Southeast Asia, or
25 the Indian subcontinent, including, but not limited to,
26 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,

1 the Philippine Islands, Thailand, and Vietnam.

2 (3) "Black or African American" means a person having
3 origins in any of the black racial groups of Africa.

4 (4) "Hispanic or Latino" means a person of Cuban,
5 Mexican, Puerto Rican, South or Central American, or other
6 Spanish culture or origin, regardless of race.

7 (5) "Native Hawaiian or Other Pacific Islander" means
8 a person having origins in any of the original peoples of
9 Hawaii, Guam, Samoa, or other Pacific Islands.

10 (5.5) "Arab" means a person having origins in any of
11 the original peoples of Saudi Arabia, United Arab
12 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon,
13 Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine,
14 Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or
15 Algeria.

16 (6) "White" means a person having origins in any of
17 the original peoples of Europe, the Middle East, or North
18 Africa.

19 (Source: P.A. 102-465, eff. 1-1-22.)

20 Section 100. The Illinois Public Aid Code is amended by
21 changing Sections 4-23 and 12-4.48 as follows:

22 (305 ILCS 5/4-23)

23 Sec. 4-23. Civil rights impact statement.

24 (a) The Department of Human Services must submit to the

1 Governor and the General Assembly on January 1 of each
2 even-numbered year a written report that details the disparate
3 impact of various provisions of the TANF program on people of
4 different racial or ethnic groups who identify themselves in
5 an application for benefits as any of the following:

6 (1) American Indian or Alaska Native (a person having
7 origins in any of the original peoples of North and South
8 America, including Central America, and who maintains
9 tribal affiliation or community attachment).

10 (2) Asian (a person having origins in any of the
11 original peoples of the Far East, Southeast Asia, or the
12 Indian subcontinent, including, but not limited to,
13 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
14 the Philippine Islands, Thailand, and Vietnam).

15 (3) Black or African American (a person having origins
16 in any of the black racial groups of Africa).

17 (4) Hispanic or Latino (a person of Cuban, Mexican,
18 Puerto Rican, South or Central American, or other Spanish
19 culture or origin, regardless of race).

20 (5) Native Hawaiian or Other Pacific Islander (a
21 person having origins in any of the original peoples of
22 Hawaii, Guam, Samoa, or other Pacific Islands).

23 (5.5) Arab (a person having origins in any of the
24 original peoples of Saudi Arabia, United Arab Emirates,
25 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
26 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,

1 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

2 (6) White (a person having origins in any of the
3 original peoples of Europe, the Middle East, or North
4 Africa).

5 (b) The report must at least compare the number of persons
6 in each group:

7 (1) who are receiving TANF assistance;

8 (2) whose 60-month lifetime limit on receiving
9 assistance has expired;

10 (3) who have left TANF due to earned income;

11 (4) who have left TANF due to non-compliance with
12 program rules;

13 (5) whose TANF grants have been reduced by sanctions
14 for non-compliance with program rules;

15 (6) who have returned to TANF 6 months after leaving
16 due to earned income;

17 (7) who have returned to TANF 12 months after leaving
18 due to earned income;

19 (8) who have one or more children excluded from
20 receiving TANF cash assistance due to the child exclusion
21 rule;

22 (9) who have been granted an exemption from work
23 requirements; and

24 (10) who are participating in post-secondary education
25 activities.

26 (Source: P.A. 102-465, eff. 1-1-22.)

1 (305 ILCS 5/12-4.48)

2 Sec. 12-4.48. Long-Term Services and Supports Disparities
3 Task Force.

4 (a) The Department of Healthcare and Family Services shall
5 establish a Long-Term Services and Supports Disparities Task
6 Force.

7 (b) Members of the Task Force shall be appointed by the
8 Director of the Department of Healthcare and Family Services
9 and shall include representatives of the following agencies,
10 organizations, or groups:

11 (1) The Governor's office.

12 (2) The Department of Healthcare and Family Services.

13 (3) The Department of Human Services.

14 (4) The Department on Aging.

15 (5) The Department of Human Rights.

16 (6) Area Agencies on Aging.

17 (7) The Department of Public Health.

18 (8) Managed Care Plans.

19 (9) The for-profit urban nursing home or assisted
20 living industry.

21 (10) The for-profit rural nursing home or assisted
22 living industry.

23 (11) The not-for-profit nursing home or assisted
24 living industry.

25 (12) The home care association or home care industry.

1 (13) The adult day care association or adult day care
2 industry.

3 (14) An association representing workers who provide
4 long-term services and supports.

5 (15) A representative of providers that serve the
6 predominantly ethnic minority populations.

7 (16) Case Management Organizations.

8 (17) Three consumer representatives which may include
9 a consumer of long-term services and supports or an
10 individual who advocates for such consumers. For purposes
11 of this provision, "consumer representative" means a
12 person who is not an elected official and who has no
13 financial interest in a health or long-term care delivery
14 system.

15 (c) The Task Force shall not meet unless all consumer
16 representative positions are filled. The Task Force shall
17 reflect diversity in race, ethnicity, and gender.

18 (d) The Chair of the Task Force shall be appointed by the
19 Director of the Department of Healthcare and Family Services.

20 (e) The Director of the Department of Healthcare and
21 Family Services shall assign appropriate staff and resources
22 to support the efforts of the Task Force. The Task Force shall
23 meet as often as necessary but not less than 4 times per
24 calendar year.

25 (f) The Task Force shall promote and facilitate
26 communication, coordination, and collaboration among relevant

1 State agencies and communities of color, limited
2 English-speaking communities, and the private and public
3 entities providing services to those communities.

4 (g) The Task Force shall do all of the following:

5 (1) Document the number and types of Long-Term
6 Services and Supports (LTSS) providers in the State and
7 the number of clients served in each setting.

8 (2) Document the number and racial profiles of
9 residents using LTSS, including, but not limited to,
10 residential nursing facilities, assisted living
11 facilities, adult day care, home health services, and
12 other home and community based long-term care services.

13 (3) Document the number and profiles of family or
14 informal caregivers who provide care for minority elders.

15 (4) Compare data over multiple years to identify
16 trends in the delivery of LTSS for each racial or ethnic
17 category including: Alaskan Native or American Indian,
18 Asian or Pacific Islander, black or African American,
19 Hispanic, Arab, or white.

20 (5) Identify any racial disparities in the provision
21 of care in various LTSS settings and determine factors
22 that might influence the disparities found.

23 (6) Identify any disparities uniquely experienced in
24 metropolitan or rural areas and make recommendations to
25 address these areas.

26 (7) Assess whether the LTSS industry, including

1 managed care plans and independent providers, is equipped
2 to offer culturally sensitive, competent, and
3 linguistically appropriate care to meet the needs of a
4 diverse aging population and their informal and formal
5 caregivers.

6 (8) Consider whether to recommend that the State
7 require all home and community based services as a
8 condition of licensure to report data similar to that
9 gathered under the Minimum Data Set and required when a
10 new resident is admitted to a nursing home.

11 (9) Identify and prioritize recommendations for
12 actions to be taken by the State to address disparity
13 issues identified in the course of these studies.

14 (10) Monitor the progress of the State in eliminating
15 racial disparities in the delivery of LTSS.

16 (h) The Task Force shall conduct public hearings,
17 inquiries, studies, and other forms of information gathering
18 to identify how the actions of State government contribute to
19 or reduce racial disparities in long-term care settings.

20 (i) The Task Force shall report its findings and
21 recommendations to the Governor and the General Assembly no
22 later than one year after the effective date of this
23 amendatory Act of the 98th General Assembly. Annual reports
24 shall be issued every year thereafter and shall include
25 documentation of progress made to eliminate disparities in
26 long-term care service settings.

1 (Source: P.A. 98-825, eff. 8-1-14; 99-78, eff. 7-20-15.)

2 Section 105. The Farmer Equity Act is amended by changing
3 Section 10 as follows:

4 (505 ILCS 72/10)

5 Sec. 10. Definitions. In this Act:

6 "Department" means the Department of Agriculture.

7 "Director" means the Director of Agriculture.

8 "Socially disadvantaged farmers" means a farmer who is a
9 member of a socially disadvantaged group.

10 "Socially disadvantaged group" means a group whose members
11 have been subjected to racial, ethnic, or gender prejudice
12 because of their identity as members of a group without regard
13 to that member's personal qualities. "Socially disadvantaged
14 group" includes, but is not limited to, African Americans,
15 Native Indians, Alaskan Natives, Hispanics, Asian Americans,
16 ~~and~~ Pacific Islanders, and Arabs.

17 "Urbanized area" means a geographic location with a
18 population of at least 50,000 people.

19 (Source: P.A. 100-1039, eff. 8-23-18.)

20 Section 110. The Illinois Vehicle Code is amended by
21 changing Section 11-212 as follows:

22 (625 ILCS 5/11-212)

1 Sec. 11-212. Traffic and pedestrian stop statistical
2 study.

3 (a) Whenever a State or local law enforcement officer
4 issues a uniform traffic citation or warning citation for an
5 alleged violation of the Illinois Vehicle Code, he or she
6 shall record at least the following:

7 (1) the name, address, gender, and the officer's
8 subjective determination of the race of the person
9 stopped; the person's race shall be selected from the
10 following list: American Indian or Alaska Native, Asian,
11 Black or African American, Hispanic or Latino, Native
12 Hawaiian or Other Pacific Islander, Arab, or White;

13 (2) the alleged traffic violation that led to the stop
14 of the motorist;

15 (3) the make and year of the vehicle stopped;

16 (4) the date and time of the stop, beginning when the
17 vehicle was stopped and ending when the driver is free to
18 leave or taken into physical custody;

19 (5) the location of the traffic stop;

20 (5.5) whether or not a consent search contemporaneous
21 to the stop was requested of the vehicle, driver,
22 passenger, or passengers; and, if so, whether consent was
23 given or denied;

24 (6) whether or not a search contemporaneous to the
25 stop was conducted of the vehicle, driver, passenger, or
26 passengers; and, if so, whether it was with consent or by

1 other means;

2 (6.2) whether or not a police dog performed a sniff of
3 the vehicle; and, if so, whether or not the dog alerted to
4 the presence of contraband; and, if so, whether or not an
5 officer searched the vehicle; and, if so, whether or not
6 contraband was discovered; and, if so, the type and amount
7 of contraband;

8 (6.5) whether or not contraband was found during a
9 search; and, if so, the type and amount of contraband
10 seized; and

11 (7) the name and badge number of the issuing officer.

12 (b) Whenever a State or local law enforcement officer
13 stops a motorist for an alleged violation of the Illinois
14 Vehicle Code and does not issue a uniform traffic citation or
15 warning citation for an alleged violation of the Illinois
16 Vehicle Code, he or she shall complete a uniform stop card,
17 which includes field contact cards, or any other existing form
18 currently used by law enforcement containing information
19 required pursuant to this Act, that records at least the
20 following:

21 (1) the name, address, gender, and the officer's
22 subjective determination of the race of the person
23 stopped; the person's race shall be selected from the
24 following list: American Indian or Alaska Native, Asian,
25 Black or African American, Hispanic or Latino, Native
26 Hawaiian or Other Pacific Islander, Arab, or White;

- 1 (2) the reason that led to the stop of the motorist;
- 2 (3) the make and year of the vehicle stopped;
- 3 (4) the date and time of the stop, beginning when the
4 vehicle was stopped and ending when the driver is free to
5 leave or taken into physical custody;
- 6 (5) the location of the traffic stop;
- 7 (5.5) whether or not a consent search contemporaneous
8 to the stop was requested of the vehicle, driver,
9 passenger, or passengers; and, if so, whether consent was
10 given or denied;
- 11 (6) whether or not a search contemporaneous to the
12 stop was conducted of the vehicle, driver, passenger, or
13 passengers; and, if so, whether it was with consent or by
14 other means;
- 15 (6.2) whether or not a police dog performed a sniff of
16 the vehicle; and, if so, whether or not the dog alerted to
17 the presence of contraband; and, if so, whether or not an
18 officer searched the vehicle; and, if so, whether or not
19 contraband was discovered; and, if so, the type and amount
20 of contraband;
- 21 (6.5) whether or not contraband was found during a
22 search; and, if so, the type and amount of contraband
23 seized; and
- 24 (7) the name and badge number of the issuing officer.
- 25 (b-5) For purposes of this subsection (b-5), "detention"
26 means all frisks, searches, summons, and arrests. Whenever a

1 law enforcement officer subjects a pedestrian to detention in
2 a public place, he or she shall complete a uniform pedestrian
3 stop card, which includes any existing form currently used by
4 law enforcement containing all the information required under
5 this Section, that records at least the following:

6 (1) the gender, and the officer's subjective
7 determination of the race of the person stopped; the
8 person's race shall be selected from the following list:
9 American Indian or Alaska Native, Asian, Black or African
10 American, Hispanic or Latino, Native Hawaiian or Other
11 Pacific Islander, Arab, or White;

12 (2) all the alleged reasons that led to the stop of the
13 person;

14 (3) the date and time of the stop;

15 (4) the location of the stop;

16 (5) whether or not a protective pat down or frisk was
17 conducted of the person; and, if so, all the alleged
18 reasons that led to the protective pat down or frisk, and
19 whether it was with consent or by other means;

20 (6) whether or not contraband was found during the
21 protective pat down or frisk; and, if so, the type and
22 amount of contraband seized;

23 (7) whether or not a search beyond a protective pat
24 down or frisk was conducted of the person or his or her
25 effects; and, if so, all the alleged reasons that led to
26 the search, and whether it was with consent or by other

1 means;

2 (8) whether or not contraband was found during the
3 search beyond a protective pat down or frisk; and, if so,
4 the type and amount of contraband seized;

5 (9) the disposition of the stop, such as a warning, a
6 ticket, a summons, or an arrest;

7 (10) if a summons or ticket was issued, or an arrest
8 made, a record of the violations, offenses, or crimes
9 alleged or charged; and

10 (11) the name and badge number of the officer who
11 conducted the detention.

12 This subsection (b-5) does not apply to searches or
13 inspections for compliance authorized under the Fish and
14 Aquatic Life Code, the Wildlife Code, the Herptiles-Herps Act,
15 or searches or inspections during routine security screenings
16 at facilities or events.

17 (c) The Illinois Department of Transportation shall
18 provide a standardized law enforcement data compilation form
19 on its website.

20 (d) Every law enforcement agency shall, by March 1 with
21 regard to data collected during July through December of the
22 previous calendar year and by August 1 with regard to data
23 collected during January through June of the current calendar
24 year, compile the data described in subsections (a), (b), and
25 (b-5) on the standardized law enforcement data compilation
26 form provided by the Illinois Department of Transportation and

1 transmit the data to the Department.

2 (e) The Illinois Department of Transportation shall
3 analyze the data provided by law enforcement agencies required
4 by this Section and submit a report of the previous year's
5 findings to the Governor, the General Assembly, the Racial
6 Profiling Prevention and Data Oversight Board, and each law
7 enforcement agency no later than July 1 of each year. The
8 Illinois Department of Transportation may contract with an
9 outside entity for the analysis of the data provided. In
10 analyzing the data collected under this Section, the analyzing
11 entity shall scrutinize the data for evidence of statistically
12 significant aberrations. The following list, which is
13 illustrative, and not exclusive, contains examples of areas in
14 which statistically significant aberrations may be found:

15 (1) The percentage of minority drivers, passengers, or
16 pedestrians being stopped in a given area is substantially
17 higher than the proportion of the overall population in or
18 traveling through the area that the minority constitutes.

19 (2) A substantial number of false stops including
20 stops not resulting in the issuance of a traffic ticket or
21 the making of an arrest.

22 (3) A disparity between the proportion of citations
23 issued to minorities and proportion of minorities in the
24 population.

25 (4) A disparity among the officers of the same law
26 enforcement agency with regard to the number of minority

1 drivers, passengers, or pedestrians being stopped in a
2 given area.

3 (5) A disparity between the frequency of searches
4 performed on minority drivers or pedestrians and the
5 frequency of searches performed on non-minority drivers or
6 pedestrians.

7 (f) Any law enforcement officer identification information
8 and driver or pedestrian identification information that is
9 compiled by any law enforcement agency or the Illinois
10 Department of Transportation pursuant to this Act for the
11 purposes of fulfilling the requirements of this Section shall
12 be confidential and exempt from public inspection and copying,
13 as provided under Section 7 of the Freedom of Information Act,
14 and the information shall not be transmitted to anyone except
15 as needed to comply with this Section. This Section shall not
16 exempt those materials that, prior to the effective date of
17 this amendatory Act of the 93rd General Assembly, were
18 available under the Freedom of Information Act. This
19 subsection (f) shall not preclude law enforcement agencies
20 from reviewing data to perform internal reviews.

21 (g) Funding to implement this Section shall come from
22 federal highway safety funds available to Illinois, as
23 directed by the Governor.

24 (h) The Illinois Criminal Justice Information Authority,
25 in consultation with law enforcement agencies, officials, and
26 organizations, including Illinois chiefs of police, the

1 Illinois State Police, the Illinois Sheriffs Association, and
2 the Chicago Police Department, and community groups and other
3 experts, shall undertake a study to determine the best use of
4 technology to collect, compile, and analyze the traffic stop
5 statistical study data required by this Section. The
6 Department shall report its findings and recommendations to
7 the Governor and the General Assembly by March 1, 2022.

8 (h-1) The Traffic and Pedestrian Stop Data Use and
9 Collection Task Force is hereby created.

10 (1) The Task Force shall undertake a study to
11 determine the best use of technology to collect, compile,
12 and analyze the traffic stop statistical study data
13 required by this Section.

14 (2) The Task Force shall be an independent Task Force
15 under the Illinois Criminal Justice Information Authority
16 for administrative purposes, and shall consist of the
17 following members:

18 (A) 2 academics or researchers who have studied
19 issues related to traffic or pedestrian stop data
20 collection and have education or expertise in
21 statistics;

22 (B) one professor from an Illinois university who
23 specializes in policing and racial equity;

24 (C) one representative from the Illinois State
25 Police;

26 (D) one representative from the Chicago Police

1 Department;

2 (E) one representative from the Illinois Chiefs of
3 Police;

4 (F) one representative from the Illinois Sheriffs
5 Association;

6 (G) one representative from the Chicago Fraternal
7 Order of Police;

8 (H) one representative from the Illinois Fraternal
9 Order of Police;

10 (I) the Executive Director of the American Civil
11 Liberties Union of Illinois, or his or her designee;
12 and

13 (J) 5 representatives from different community
14 organizations who specialize in civil or human rights,
15 policing, or criminal justice reform work, and that
16 represent a range of minority interests or different
17 parts of the State.

18 (3) The Illinois Criminal Justice Information
19 Authority may consult, contract, work in conjunction with,
20 and obtain any information from any individual, agency,
21 association, or research institution deemed appropriate by
22 the Authority.

23 (4) The Task Force shall report its findings and
24 recommendations to the Governor and the General Assembly
25 by March 1, 2022 and every 3 years after.

26 (h-5) For purposes of this Section:

1 (1) "American Indian or Alaska Native" means a person
2 having origins in any of the original peoples of North and
3 South America, including Central America, and who
4 maintains tribal affiliation or community attachment.

5 (2) "Asian" means a person having origins in any of
6 the original peoples of the Far East, Southeast Asia, or
7 the Indian subcontinent, including, but not limited to,
8 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
9 the Philippine Islands, Thailand, and Vietnam.

10 (2.5) "Badge" means an officer's department issued
11 identification number associated with his or her position
12 as a police officer with that department.

13 (3) "Black or African American" means a person having
14 origins in any of the black racial groups of Africa.

15 (4) "Hispanic or Latino" means a person of Cuban,
16 Mexican, Puerto Rican, South or Central American, or other
17 Spanish culture or origin, regardless of race.

18 (5) "Native Hawaiian or Other Pacific Islander" means
19 a person having origins in any of the original peoples of
20 Hawaii, Guam, Samoa, or other Pacific Islands.

21 (5.5) "Arab" means a person having origins in any of
22 the original peoples of Saudi Arabia, United Arab
23 Emirates, Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon,
24 Libya, Mauritania, Morocco, Djibouti, Somalia, Palestine,
25 Oman, Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or
26 Algeria.

1 (6) "White" means a person having origins in any of
2 the original peoples of Europe, the Middle East, or North
3 Africa.

4 (i) (Blank).

5 (Source: P.A. 101-24, eff. 6-21-19; 102-465, eff. 1-1-22;
6 102-538, eff. 8-20-21; revised 9-21-21.)

7 Section 115. The Criminal Code of 2012 is amended by
8 changing Section 17-10.2 as follows:

9 (720 ILCS 5/17-10.2) (was 720 ILCS 5/17-29)

10 Sec. 17-10.2. Businesses owned by minorities, females, and
11 persons with disabilities; fraudulent contracts with
12 governmental units.

13 (a) In this Section:

14 "Minority person" means a person who is any of the
15 following:

16 (1) American Indian or Alaska Native (a person having
17 origins in any of the original peoples of North and South
18 America, including Central America, and who maintains
19 tribal affiliation or community attachment).

20 (2) Asian (a person having origins in any of the
21 original peoples of the Far East, Southeast Asia, or the
22 Indian subcontinent, including, but not limited to,
23 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
24 the Philippine Islands, Thailand, and Vietnam).

1 (3) Black or African American (a person having origins
2 in any of the black racial groups of Africa).

3 (4) Hispanic or Latino (a person of Cuban, Mexican,
4 Puerto Rican, South or Central American, or other Spanish
5 culture or origin, regardless of race).

6 (5) Native Hawaiian or Other Pacific Islander (a
7 person having origins in any of the original peoples of
8 Hawaii, Guam, Samoa, or other Pacific Islands).

9 (6) Arab (a person having origins in any of the
10 original peoples of Saudi Arabia, United Arab Emirates,
11 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
12 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
13 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

14 "Female" means a person who is of the female gender.

15 "Person with a disability" means a person who is a
16 person qualifying as having a disability.

17 "Disability" means a severe physical or mental
18 disability that: (1) results from: amputation, arthritis,
19 autism, blindness, burn injury, cancer, cerebral palsy,
20 cystic fibrosis, deafness, head injury, heart disease,
21 hemiplegia, hemophilia, respiratory or pulmonary
22 dysfunction, an intellectual disability, mental illness,
23 multiple sclerosis, muscular dystrophy, musculoskeletal
24 disorders, neurological disorders, including stroke and
25 epilepsy, paraplegia, quadriplegia and other spinal cord
26 conditions, sickle cell anemia, specific learning

1 disabilities, or end stage renal failure disease; and (2)
2 substantially limits one or more of the person's major
3 life activities.

4 "Minority owned business" means a business concern
5 that is at least 51% owned by one or more minority persons,
6 or in the case of a corporation, at least 51% of the stock
7 in which is owned by one or more minority persons; and the
8 management and daily business operations of which are
9 controlled by one or more of the minority individuals who
10 own it.

11 "Female owned business" means a business concern that
12 is at least 51% owned by one or more females, or, in the
13 case of a corporation, at least 51% of the stock in which
14 is owned by one or more females; and the management and
15 daily business operations of which are controlled by one
16 or more of the females who own it.

17 "Business owned by a person with a disability" means a
18 business concern that is at least 51% owned by one or more
19 persons with a disability and the management and daily
20 business operations of which are controlled by one or more
21 of the persons with disabilities who own it. A
22 not-for-profit agency for persons with disabilities that
23 is exempt from taxation under Section 501 of the Internal
24 Revenue Code of 1986 is also considered a "business owned
25 by a person with a disability".

26 "Governmental unit" means the State, a unit of local

1 government, or school district.

2 (b) In addition to any other penalties imposed by law or by
3 an ordinance or resolution of a unit of local government or
4 school district, any individual or entity that knowingly
5 obtains, or knowingly assists another to obtain, a contract
6 with a governmental unit, or a subcontract or written
7 commitment for a subcontract under a contract with a
8 governmental unit, by falsely representing that the individual
9 or entity, or the individual or entity assisted, is a minority
10 owned business, female owned business, or business owned by a
11 person with a disability is guilty of a Class 2 felony,
12 regardless of whether the preference for awarding the contract
13 to a minority owned business, female owned business, or
14 business owned by a person with a disability was established
15 by statute or by local ordinance or resolution.

16 (c) In addition to any other penalties authorized by law,
17 the court shall order that an individual or entity convicted
18 of a violation of this Section must pay to the governmental
19 unit that awarded the contract a penalty equal to one and
20 one-half times the amount of the contract obtained because of
21 the false representation.

22 (Source: P.A. 102-465, eff. 1-1-22.)

23 Section 120. The Illinois Human Rights Act is amended by
24 changing Section 2-105 as follows:

1 (775 ILCS 5/2-105) (from Ch. 68, par. 2-105)

2 Sec. 2-105. Equal Employment Opportunities; Affirmative
3 Action.

4 (A) Public Contracts. Every party to a public contract and
5 every eligible bidder shall:

6 (1) Refrain from unlawful discrimination and
7 discrimination based on citizenship status in employment
8 and undertake affirmative action to assure equality of
9 employment opportunity and eliminate the effects of past
10 discrimination;

11 (2) Comply with the procedures and requirements of the
12 Department's regulations concerning equal employment
13 opportunities and affirmative action;

14 (3) Provide such information, with respect to its
15 employees and applicants for employment, and assistance as
16 the Department may reasonably request;

17 (4) Have written sexual harassment policies that shall
18 include, at a minimum, the following information: (i) the
19 illegality of sexual harassment; (ii) the definition of
20 sexual harassment under State law; (iii) a description of
21 sexual harassment, utilizing examples; (iv) the vendor's
22 internal complaint process including penalties; (v) the
23 legal recourse, investigative, and complaint process
24 available through the Department and the Commission; (vi)
25 directions on how to contact the Department and
26 Commission; and (vii) protection against retaliation as

1 provided by Sections 6-101 and 6-101.5 of this Act. A copy
2 of the policies shall be provided to the Department upon
3 request. Additionally, each bidder who submits a bid or
4 offer for a State contract under the Illinois Procurement
5 Code shall have a written copy of the bidder's sexual
6 harassment policy as required under this paragraph (4). A
7 copy of the policy shall be provided to the State agency
8 entering into the contract upon request.

9 (B) State Agencies. Every State executive department,
10 State agency, board, commission, and instrumentality shall:

11 (1) Comply with the procedures and requirements of the
12 Department's regulations concerning equal employment
13 opportunities and affirmative action.~~†~~

14 (2) Provide such information and assistance as the
15 Department may request.

16 (3) Establish, maintain, and carry out a continuing
17 affirmative action plan consistent with this Act and the
18 regulations of the Department designed to promote equal
19 opportunity for all State residents in every aspect of
20 agency personnel policy and practice. For purposes of
21 these affirmative action plans, the race and national
22 origin categories to be included in the plans are:
23 American Indian or Alaska Native, Asian, Black or African
24 American, Hispanic or Latino, Native Hawaiian or Other
25 Pacific Islander, and Arab.

26 This plan shall include a current detailed status

1 report:

2 (a) indicating, by each position in State service,
3 the number, percentage, and average salary of
4 individuals employed by race, national origin, sex and
5 disability, and any other category that the Department
6 may require by rule;

7 (b) identifying all positions in which the
8 percentage of the people employed by race, national
9 origin, sex and disability, and any other category
10 that the Department may require by rule, is less than
11 four-fifths of the percentage of each of those
12 components in the State work force;

13 (c) specifying the goals and methods for
14 increasing the percentage by race, national origin,
15 sex, and disability, and any other category that the
16 Department may require by rule, in State positions;

17 (d) indicating progress and problems toward
18 meeting equal employment opportunity goals, including,
19 if applicable, but not limited to, Department of
20 Central Management Services recruitment efforts,
21 publicity, promotions, and use of options designating
22 positions by linguistic abilities;

23 (e) establishing a numerical hiring goal for the
24 employment of qualified persons with disabilities in
25 the agency as a whole, to be based on the proportion of
26 people with work disabilities in the Illinois labor

1 force as reflected in the most recent employment data
2 made available by the United States Census Bureau.

3 (4) If the agency has 1000 or more employees, appoint
4 a full-time Equal Employment Opportunity officer, subject
5 to the Department's approval, whose duties shall include:

6 (a) Advising the head of the particular State
7 agency with respect to the preparation of equal
8 employment opportunity programs, procedures,
9 regulations, reports, and the agency's affirmative
10 action plan.

11 (b) Evaluating in writing each fiscal year the
12 sufficiency of the total agency program for equal
13 employment opportunity and reporting thereon to the
14 head of the agency with recommendations as to any
15 improvement or correction in recruiting, hiring or
16 promotion needed, including remedial or disciplinary
17 action with respect to managerial or supervisory
18 employees who have failed to cooperate fully or who
19 are in violation of the program.

20 (c) Making changes in recruitment, training and
21 promotion programs and in hiring and promotion
22 procedures designed to eliminate discriminatory
23 practices when authorized.

24 (d) Evaluating tests, employment policies,
25 practices, and qualifications and reporting to the
26 head of the agency and to the Department any policies,

1 practices and qualifications that have unequal impact
2 by race, national origin as required by Department
3 rule, sex, or disability or any other category that
4 the Department may require by rule, and to assist in
5 the recruitment of people in underrepresented
6 classifications. This function shall be performed in
7 cooperation with the ~~State~~ Department of Central
8 Management Services.

9 (e) Making any aggrieved employee or applicant for
10 employment aware of his or her remedies under this
11 Act.

12 In any meeting, investigation, negotiation,
13 conference, or other proceeding between a State
14 employee and an Equal Employment Opportunity officer,
15 a State employee (1) who is not covered by a collective
16 bargaining agreement and (2) who is the complaining
17 party or the subject of such proceeding may be
18 accompanied, advised and represented by (1) an
19 attorney licensed to practice law in the State of
20 Illinois or (2) a representative of an employee
21 organization whose membership is composed of employees
22 of the State and of which the employee is a member. A
23 representative of an employee, other than an attorney,
24 may observe but may not actively participate, or
25 advise the State employee during the course of such
26 meeting, investigation, negotiation, conference, or

1 other proceeding. Nothing in this Section shall be
2 construed to permit any person who is not licensed to
3 practice law in Illinois to deliver any legal services
4 or otherwise engage in any activities that would
5 constitute the unauthorized practice of law. Any
6 representative of an employee who is present with the
7 consent of the employee, shall not, during or after
8 termination of the relationship permitted by this
9 Section with the State employee, use or reveal any
10 information obtained during the course of the meeting,
11 investigation, negotiation, conference, or other
12 proceeding without the consent of the complaining
13 party and any State employee who is the subject of the
14 proceeding and pursuant to rules and regulations
15 governing confidentiality of such information as
16 promulgated by the appropriate State agency.
17 Intentional or reckless disclosure of information in
18 violation of these confidentiality requirements shall
19 constitute a Class B misdemeanor.

20 (5) Establish, maintain, and carry out a continuing
21 sexual harassment program that shall include the
22 following:

23 (a) Develop a written sexual harassment policy
24 that includes at a minimum the following information:
25 (i) the illegality of sexual harassment; (ii) the
26 definition of sexual harassment under State law; (iii)

1 a description of sexual harassment, utilizing
2 examples; (iv) the agency's internal complaint process
3 including penalties; (v) the legal recourse,
4 investigative, and complaint process available through
5 the Department and the Commission; (vi) directions on
6 how to contact the Department and Commission; and
7 (vii) protection against retaliation as provided by
8 Section 6-101 of this Act. The policy shall be
9 reviewed annually.

10 (b) Post in a prominent and accessible location
11 and distribute in a manner to assure notice to all
12 agency employees without exception the agency's sexual
13 harassment policy. Such documents may meet, but shall
14 not exceed, the 6th grade literacy level. Distribution
15 shall be effectuated within 90 days of the effective
16 date of this amendatory Act of 1992 and shall occur
17 annually thereafter.

18 (c) Provide training on sexual harassment
19 prevention and the agency's sexual harassment policy
20 as a component of all ongoing or new employee training
21 programs.

22 (6) Notify the Department 30 days before effecting any
23 layoff. Once notice is given, the following shall occur:

24 (a) No layoff may be effective earlier than 10
25 working days after notice to the Department, unless an
26 emergency layoff situation exists.

1 (b) The State executive department, State agency,
2 board, commission, or instrumentality in which the
3 layoffs are to occur must notify each employee
4 targeted for layoff, the employee's union
5 representative (if applicable), and the State
6 Dislocated Worker Unit at the Department of Commerce
7 and Economic Opportunity.

8 (c) The State executive department, State agency,
9 board, commission, or instrumentality in which the
10 layoffs are to occur must conform to applicable
11 collective bargaining agreements.

12 (d) The State executive department, State agency,
13 board, commission, or instrumentality in which the
14 layoffs are to occur should notify each employee
15 targeted for layoff that transitional assistance may
16 be available to him or her under the Economic
17 Dislocation and Worker Adjustment Assistance Act
18 administered by the Department of Commerce and
19 Economic Opportunity. Failure to give such notice
20 shall not invalidate the layoff or postpone its
21 effective date.

22 As used in this subsection (B), "disability" shall be
23 defined in rules promulgated under the Illinois Administrative
24 Procedure Act.

25 (C) Civil Rights Violations. It is a civil rights
26 violation for any public contractor or eligible bidder to:

1 (1) fail to comply with the public contractor's or
2 eligible bidder's duty to refrain from unlawful
3 discrimination and discrimination based on citizenship
4 status in employment under subsection (A)(1) of this
5 Section; or

6 (2) fail to comply with the public contractor's or
7 eligible bidder's duties of affirmative action under
8 subsection (A) of this Section, provided however, that the
9 Department has notified the public contractor or eligible
10 bidder in writing by certified mail that the public
11 contractor or eligible bidder may not be in compliance
12 with affirmative action requirements of subsection (A). A
13 minimum of 60 days to comply with the requirements shall
14 be afforded to the public contractor or eligible bidder
15 before the Department may issue formal notice of
16 non-compliance.

17 (D) As used in this Section:

18 (1) "American Indian or Alaska Native" means a person
19 having origins in any of the original peoples of North and
20 South America, including Central America, and who
21 maintains tribal affiliation or community attachment.

22 (2) "Asian" means a person having origins in any of
23 the original peoples of the Far East, Southeast Asia, or
24 the Indian subcontinent, including, but not limited to,
25 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
26 the Philippine Islands, Thailand, and Vietnam.

1 (3) "Black or African American" means a person having
2 origins in any of the black racial groups of Africa.

3 (4) "Hispanic or Latino" means a person of Cuban,
4 Mexican, Puerto Rican, South or Central American, or other
5 Spanish culture or origin, regardless of race.

6 (5) "Native Hawaiian or Other Pacific Islander" means
7 a person having origins in any of the original peoples of
8 Hawaii, Guam, Samoa, or other Pacific Islands.

9 (6) "Arab" means a person having origins in any of the
10 original peoples of Saudi Arabia, United Arab Emirates,
11 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
12 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
13 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria.

14 (Source: P.A. 102-362, eff. 1-1-22; 102-465, eff. 1-1-22;
15 revised 9-22-21.)

16 Section 125. The Business Corporation Act of 1983 is
17 amended by changing Section 8.12 as follows:

18 (805 ILCS 5/8.12)

19 Sec. 8.12. Female, minority, and LGBTQ directors.

20 (a) Findings and purpose. The General Assembly finds that
21 women, minorities, and LGBTQ people are still largely
22 underrepresented nationally in positions of corporate
23 authority, such as serving as a director on a corporation's
24 board of directors. This low representation could be

1 contributing to the disparity seen in wages made by females
2 and minorities versus their white male counterparts. Increased
3 representation of these individuals as directors on boards of
4 directors for corporations may boost the Illinois economy,
5 improve opportunities for women, minorities, and LGBTQ people
6 in the workplace, and foster an environment in Illinois where
7 the business community is representative of our residents.
8 Therefore, it is the intent of the General Assembly to gather
9 more data and study this issue within the State so that
10 effective policy changes may be implemented to eliminate this
11 disparity.

12 (b) As used in this Section:

13 "Annual report" means the report submitted annually to the
14 Secretary of State pursuant to this Act.

15 "Female" means a person who is a citizen or lawful
16 permanent resident of the United States and who
17 self-identifies as a woman, without regard to the individual's
18 designated sex at birth.

19 "Minority person" means a person who is a citizen or
20 lawful permanent resident of the United States and who is any
21 of the following races or ethnicities:

22 (1) American Indian or Alaska Native (a person having
23 origins in any of the original peoples of North and South
24 America, including Central America, and who maintains
25 tribal affiliation or community attachment).

26 (2) Asian (a person having origins in any of the

1 original peoples of the Far East, Southeast Asia, or the
2 Indian subcontinent, including, but not limited to,
3 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
4 the Philippine Islands, Thailand, and Vietnam).

5 (3) Black or African American (a person having origins
6 in any of the black racial groups of Africa). Terms such as
7 "Haitian" or "Negro" can be used in addition to "Black" or
8 "African American".

9 (4) Hispanic or Latino (a person of Cuban, Mexican,
10 Puerto Rican, South or Central American, or other Spanish
11 culture or origin, regardless of race).

12 (5) Native Hawaiian or Other Pacific Islander (a
13 person having origins in any of the original peoples of
14 Hawaii, Guam, Samoa, or other Pacific Islands).

15 (6) Arab (a person having origins in any of the
16 original peoples of Saudi Arabia, United Arab Emirates,
17 Iraq, Bahrain, Jordan, Comoros, Kuwait, Lebanon, Libya,
18 Mauritania, Morocco, Djibouti, Somalia, Palestine, Oman,
19 Syria, Yemen, Qatar, Sudan, Tunisia, Egypt, or Algeria).

20 ~~(6)~~ "Publicly held domestic or foreign corporation" means
21 a corporation with outstanding shares listed on a major United
22 States stock exchange.

23 (c) Reporting to the Secretary of State. As soon as
24 practical after August 27, 2019 (the effective date of Public
25 Act 101-589) ~~this amendatory Act of the 101st General~~
26 ~~Assembly~~, but no later than January 1, 2021, the following

1 information shall be provided in a corporation's annual report
2 submitted to the Secretary of State under this Act and made
3 available by the Secretary of State to the public online as it
4 is received:

5 (1) Whether the corporation is a publicly held
6 domestic or foreign corporation with its principal
7 executive office located in Illinois.

8 (2) Where the corporation is a publicly held domestic
9 or foreign corporation with its principal executive office
10 located in Illinois, data on specific qualifications,
11 skills, and experience that the corporation considers for
12 its board of directors, nominees for the board of
13 directors, and executive officers.

14 (3) Where the corporation is a publicly held domestic
15 or foreign corporation with its principal executive office
16 located in Illinois, the self-identified gender of each
17 member of its board of directors.

18 (4) Where the corporation is a publicly held domestic
19 or foreign corporation with its principal executive office
20 located in Illinois, whether each member of its board of
21 directors self-identifies as a minority person and, if so,
22 which race or ethnicity to which the member belongs.

23 (5) Where the corporation is a publicly held domestic
24 or foreign corporation with its principal executive office
25 located in Illinois, the self-identified sexual
26 orientation of each member of its board of directors.

1 (6) Where the corporation is a publicly held domestic
2 or foreign corporation with its principal executive office
3 located in Illinois, the self-identified gender identity
4 of each member of its board of directors.

5 (7) ~~7~~ Where the corporation is a publicly held
6 domestic or foreign corporation with its principal
7 executive office located in Illinois, a description of the
8 corporation's process for identifying and evaluating
9 nominees for the board of directors, including whether
10 and, if so, how demographic diversity is considered.

11 (8) ~~8~~ Where the corporation is a publicly held
12 domestic or foreign corporation with its principal
13 executive office located in Illinois, a description of the
14 corporation's process for identifying and appointing
15 executive officers, including whether and, if so, how
16 demographic diversity is considered.

17 (9) ~~9~~ Where the corporation is a publicly held
18 domestic or foreign corporation with its principal
19 executive office located in Illinois, a description of the
20 corporation's policies and practices for promoting
21 diversity, equity, and inclusion among its board of
22 directors and executive officers.

23 Information reported under this subsection shall be
24 updated in each annual report filed with the Secretary of
25 State thereafter.

26 (d) Beginning no later than March 1, 2021, and every March

1 1 thereafter, the University of Illinois Systems shall review
2 the information reported and published under subsection (c)
3 and shall publish on its website a report that provides
4 aggregate data on the demographic characteristics of the
5 boards of directors and executive officers of corporations
6 filing an annual report for the preceding year along with an
7 individualized rating for each corporation. The report shall
8 also identify strategies for promoting diversity and inclusion
9 among boards of directors and corporate executive officers.

10 (e) The University of Illinois System shall establish a
11 rating system assessing the representation of women,
12 minorities, and LGBTQ people on corporate boards of directors
13 of those corporations that are publicly held domestic or
14 foreign corporations with their principal executive office
15 located in Illinois based on the information gathered under
16 this Section. The rating system shall consider, among other
17 things: compliance with the demographic reporting obligations
18 in subsection (c); the corporation's policies and practices
19 for encouraging diversity in recruitment, board membership,
20 and executive appointments; and the demographic diversity of
21 board seats and executive positions.

22 (Source: P.A. 101-589, eff. 8-27-19; 102-223, eff. 1-1-22;
23 revised 11-24-21.)