



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2232

Introduced 2/26/2021, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.8 new	
15 ILCS 305/30	
75 ILCS 10/8.1	from Ch. 81, par. 118.1
75 ILCS 10/8.4	from Ch. 81, par. 118.4

Amends the Secretary of State Act. Modifies provisions concerning emergency powers to further allow the Secretary of State to adopt emergency rules concerning the expiration dates of driver's licenses, driving permits, monitoring device driving permits, restricted driving permits, identification cards, disabled parking placards and decals, and vehicle registrations. Removes provisions requiring the Governor to issue a statewide disaster proclamation in order for the Secretary of State to exercise specified powers. Amends the Illinois Administrative Procedure Act to provide for emergency rulemaking. Repeals provisions on January 1, 2022. Makes conforming changes. Amends the Illinois Library System Act. Increases the maximum per capita amount for State Librarian grants to public libraries from \$1.25 per capita to \$1.475 per capita. Increases State Librarian grants to school libraries from \$0.75 per student to \$0.885 per student and provides that the State Librarian shall endeavor to provide each school district that has a qualifying school library a total grant of at least \$850 (rather than \$750). Effective immediately.

LRB102 16412 AWJ 21802 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.8 as follows:

6 (5 ILCS 100/5-45.8 new)

7 Sec. 5-45.8. Emergency rulemaking; Secretary of State
8 emergency powers. To provide for the expeditious and timely
9 implementation of the extension provisions of Section 30 of
10 the Secretary of State Act, emergency rules implementing the
11 extension provisions of Section 30 of the Secretary of State
12 Act may be adopted in accordance with Section 5-45 by the
13 Secretary of State. The adoption of emergency rules authorized
14 by Section 5-45 and this Section is deemed to be necessary for
15 the public interest, safety, and welfare.

16 This Section is repealed on January 1, 2022.

17 Section 10. The Secretary of State Act is amended by
18 changing Section 30 as follows:

19 (15 ILCS 305/30)

20 (Section scheduled to be repealed on June 30, 2021)

21 Sec. 30. Emergency powers.

1 (a) In response to the ongoing public health disaster
2 caused by Coronavirus Disease 2019 (COVID-19), a novel severe
3 acute respiratory illness that spreads rapidly through
4 respiratory transmissions, and the need to regulate the number
5 of individuals entering a Secretary of State facility at any
6 one time in order to prevent the spread of the disease, the
7 Secretary of State is hereby given the authority to adopt
8 emergency rulemakings, as provided under subsection (b), and
9 to adopt permanent administrative rules extending until no
10 later than June 30, 2021, the expiration dates of driver's
11 licenses, driving permits, monitoring device driving permits,
12 restricted driving permits, identification cards, disabled
13 parking placards and decals, and vehicle registrations that
14 were issued with expiration dates on or after January 1, 2020.
15 If, as of May 1, 2021, there remains in effect a proclamation
16 issued by the Governor of the State of Illinois declaring a
17 statewide disaster in response to the outbreak of COVID-19,
18 the Secretary may further extend such expiration dates until
19 no later than December 31, 2021. ~~Upon the Governor of the State~~
20 ~~of Illinois issuing a statewide disaster proclamation based on~~
21 ~~a health pandemic or similar emergency, the Secretary may~~
22 ~~extend for the duration of the proclaimed disaster and for up~~
23 ~~to a period of 120 days beyond the expiration of the disaster~~
24 ~~proclamation.~~

25 ~~(1) the expiration dates of driver's licenses, driving~~
26 ~~permits, identification cards, disabled parking placards~~

1 ~~and decals, and vehicle registrations; and~~

2 ~~(2) the expiration dates of professional licenses,~~
3 ~~registrations, certifications and commissions issued by~~
4 ~~the Secretary, including but not limited to, vehicle~~
5 ~~dealership licenses, commercial driver training school~~
6 ~~licenses, and securities, broker and investment adviser~~
7 ~~registrations.~~

8 ~~After the initial 120 day extension, the Secretary may~~
9 ~~adopt subsequent 30 day extensions only upon a determination~~
10 ~~that circumstances necessitate additional extensions. The~~
11 ~~Secretary must adopt any subsequent 30 day extension prior to~~
12 ~~the previous lapsing.~~

13 (a-5) During the period of any extensions implemented
14 pursuant to this Section, all driver's licenses, driving
15 permits, monitoring device driving permits, restricted driving
16 permits, identification cards, disabled parking placards and
17 decals, and vehicle registrations shall be subject to any
18 terms and conditions under which the original document was
19 issued.

20 (b) To provide for the expeditious and timely
21 implementation of this amendatory Act of the 101st General
22 Assembly, any emergency rules to implement the extension
23 provisions of this Section must be adopted by the Secretary of
24 State, subject to the provisions of Section 5-45 of the
25 Illinois Administrative Procedure Act. Any such rule shall:

26 (1) (blank); ~~identify the disaster proclamation~~

1 ~~authorizing the rulemaking,~~

2 (2) set forth the expirations being extended (for
3 example, "this extension shall apply to all driver's
4 licenses, driving permits, monitoring device driving
5 permits, restricted driving permits, identification cards,
6 disabled parking placards and decals, and vehicle
7 registrations expiring on [date] through [date]"); and

8 (3) set forth the date on which the extension period
9 becomes effective, and the date on which the extension
10 will terminate if not extended by subsequent emergency
11 rulemaking.

12 (c) Where the renewal of any driver's license, driving
13 permit, monitoring device driving permit, restricted driving
14 permit, identification card, disabled parking placard or
15 decal, or vehicle registration, ~~or professional license,~~
16 ~~registration, certification or commission~~ has been extended
17 pursuant to this Section, it shall be renewed during the
18 period of an extension. Any such renewal shall be from the
19 original expiration date and shall be subject to the full fee
20 which would have been due had the renewal been issued based on
21 the original expiration date, except that no late filing fees
22 or penalties shall be imposed.

23 (d) All law enforcement agencies in the State of Illinois
24 and all State and local governmental entities shall recognize
25 the validity of, and give full legal force to, extensions
26 granted pursuant to this Section.

1 (e) Upon the request of any person or entity whose
2 driver's license, driving permit, monitoring device driving
3 permit, restricted driving permit, identification card,
4 disabled parking placard or decal, or vehicle registration, ~~or~~
5 ~~professional license, registration, certification or~~
6 ~~commission~~ has been subject to an extension under this
7 Section, the Secretary shall issue a statement verifying the
8 extension was issued pursuant to Illinois law, and requesting
9 any foreign jurisdiction to honor the extension.

10 (f) This Section is repealed on January 1, 2022 ~~June 30,~~
11 ~~2021.~~

12 (Source: P.A. 101-640, eff. 6-12-20.)

13 Section 15. The Illinois Library System Act is amended by
14 changing Sections 8.1 and 8.4 as follows:

15 (75 ILCS 10/8.1) (from Ch. 81, par. 118.1)

16 Sec. 8.1. The State Librarian shall make grants annually
17 under this Section to all qualified public libraries in the
18 State from funds appropriated by the General Assembly. Such
19 grants shall be in the amount of up to \$1.475 ~~\$1.25~~ per capita
20 for the population of the area served by the respective public
21 library and, in addition, the amount of up to \$0.19 per capita
22 to libraries serving populations over 500,000 under the
23 Illinois Major Urban Library Program. If the moneys
24 appropriated for grants under this Section fail to meet the

1 \$1.475 ~~\$1.25~~ and the \$0.19 per capita amounts above, the
2 funding shall be decreased pro rata so that qualifying public
3 libraries receive the same amount per capita. If the moneys
4 appropriated for grants under this Section exceed the \$1.475
5 ~~\$1.25~~ and the \$0.19 per capita amounts above, the funding
6 shall be increased pro rata so that qualifying public
7 libraries receive the same amount per capita.

8 To be eligible for grants under this Section, a public
9 library must:

10 (1) Provide, as determined by the State Librarian,
11 library services which either meet or show progress toward
12 meeting the Illinois library standards, as most recently
13 adopted by the Illinois Library Association.

14 (2) Be a public library for which is levied a tax for
15 library purposes at a rate not less than .13% or a county
16 library for which is levied a tax for library purposes at a
17 rate not less than .07%. If a library is subject to the
18 Property Tax Extension Limitation Law in the Property Tax
19 Code and its tax levy for library purposes has been
20 lowered to a rate of less than .13%, this requirement will
21 be waived if the library qualified for this grant in the
22 previous year and if the tax levied for library purposes
23 in the current year produces tax revenue for library
24 purposes that is an increase over the previous year's
25 extension of 5% or the percentage increase in the Consumer
26 Price Index, whichever is less. Beginning in State Fiscal

1 Year 2012, the eligibility requirement in this subsection
2 shall be waived if a library's tax levy for library
3 purposes has been lowered to a rate of less than 0.13%, and
4 the State Librarian determines that the library (i)
5 continues to meet the requirements of item (1) of this
6 Section and (ii) received a grant under this Section in
7 the previous fiscal year.

8 Any other language in this Section to the contrary
9 notwithstanding, grants under this Section 8.1 shall be made
10 only upon application of the public library concerned, which
11 applications shall be entirely voluntary and within the sole
12 discretion of the public library concerned.

13 In order to be eligible for a grant under this Section, the
14 corporate authorities, in lieu of a tax levy at a particular
15 rate, may provide funds from other sources, an amount
16 equivalent to the amount to be produced by that levy.

17 (Source: P.A. 99-186, eff. 7-29-15; 99-619, eff. 7-22-16.)

18 (75 ILCS 10/8.4) (from Ch. 81, par. 118.4)

19 Sec. 8.4. School library grants. Beginning July 1, 1989,
20 the State Librarian shall make grants annually under this
21 Section to all school districts in the State for the
22 establishment and operation of qualified school libraries, or
23 the additional support of existing qualified school libraries,
24 from funds appropriated by the General Assembly. Such grants
25 shall be in the amount of \$0.885 ~~\$0.75~~ per student as

1 determined by the official enrollment as of the previous
2 September 30 of the respective school having a qualified
3 school library. If the moneys appropriated for grants under
4 this Section are not sufficient, the State Librarian shall
5 reduce the amount of the grants as necessary; in making these
6 reductions, the State Librarian shall endeavor to provide each
7 school district that has a qualifying school library (i) at
8 least the same amount per student as the district received
9 under this Section in the preceding fiscal year, and (ii) a
10 total grant of at least \$850 ~~\$750~~, which, in the event of an
11 insufficient appropriation, shall not be reduced to a total
12 grant of less than \$100.

13 To qualify for grants under this Section, a school library
14 must:

15 (1) Be an entity which serves the basic information
16 and library needs of the school's employees and students
17 through a bibliographically organized collection of
18 library materials, has at least one employee whose primary
19 duty is to serve as a librarian, and has a collection
20 permanently supported financially, accessible centrally,
21 and occupying identifiable quarters in one principal
22 location.

23 (2) Meet the requirements for membership in a library
24 system under the provisions of this Act.

25 (3) Have applied for membership in the library system
26 of jurisdiction if the system is a multitype library

1 system under this Act.

2 (4) Provide, as mutually determined by the Illinois
3 State Librarian and the Illinois State Board of Education,
4 library services which either meet or show progress toward
5 meeting the Illinois school library standards as most
6 recently adopted by the Illinois School Library Media
7 Association.

8 (5) Submit a statement certifying that the financial
9 support for the school library or libraries of the
10 applying school district has been maintained undiminished,
11 or if diminished, the percentage of diminution of
12 financial support is no more than the percentage of
13 diminution of the applying school's total financial
14 support for educational and operations purposes since the
15 submission of the last previous application of the school
16 district for the school library per student grant that was
17 funded.

18 Grants under this Section shall be made only upon
19 application of the school district for its qualified school
20 library or school libraries.

21 (Source: P.A. 95-976, eff. 9-22-08.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.