

SB3792



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3792

Introduced 1/21/2022, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

See Index

Amends the Children and Family Services Act, the Illinois Youthbuild Act, the Mental Health and Developmental Disabilities Administrative Act, the School Code, the Public University Uniform Admission Pilot Program Act, the Public Community College Act, the Higher Education Student Assistance Act, the Illinois Insurance Code, the Pharmacy Practice Act, the Structural Pest Control Act, the Community Association Manager Licensing and Disciplinary Act, the Home Inspector License Act, the Real Estate License Act of 2000, the Illinois Public Aid Code, the Firearm Concealed Carry Act, the Illinois Vehicle Code, and the Unified Code of Corrections. Changes references from high school equivalency certificate to State of Illinois High School Diploma.

LRB102 25808 CMG 35148 b

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The Children and Family Services Act is amended
5 by changing Sections 8 and 35.10 as follows:

6 (20 ILCS 505/8) (from Ch. 23, par. 5008)

7 Sec. 8. Scholarships and fee waivers; tuition waiver.

8 (a) Each year the Department shall select a minimum of 53
9 students (at least 4 of whom shall be children of veterans) to
10 receive scholarships and fee waivers which will enable them to
11 attend and complete their post-secondary education at a
12 community college, university, or college. Youth shall be
13 selected from among the youth for whom the Department has
14 court-ordered legal responsibility, youth who aged out of care
15 at age 18 or older, or youth formerly under care who have been
16 adopted or who have been placed in private guardianship.
17 Recipients must have earned a high school diploma from an
18 accredited institution or a State of Illinois High School
19 Diploma ~~high school equivalency certificate~~ or diploma or have
20 met the State criteria for high school graduation before the
21 start of the school year for which they are applying for the
22 scholarship and waiver. Scholarships and fee waivers shall be
23 available to students for at least 5 years, provided they are

1 continuing to work toward graduation. Unused scholarship
2 dollars and fee waivers shall be reallocated to new
3 recipients. No later than January 1, 2015, the Department
4 shall promulgate rules identifying the criteria for
5 "continuing to work toward graduation" and for reallocating
6 unused scholarships and fee waivers. Selection shall be made
7 on the basis of several factors, including, but not limited
8 to, scholastic record, aptitude, and general interest in
9 higher education. The selection committee shall include at
10 least 2 individuals formerly under the care of the Department
11 who have completed their post-secondary education. In
12 accordance with this Act, tuition scholarships and fee waivers
13 shall be available to such students at any university or
14 college maintained by the State of Illinois. The Department
15 shall provide maintenance and school expenses, except tuition
16 and fees, during the academic years to supplement the
17 students' earnings or other resources so long as they
18 consistently maintain scholastic records which are acceptable
19 to their schools and to the Department. Students may attend
20 other colleges and universities, if scholarships are awarded
21 them, and receive the same benefits for maintenance and other
22 expenses as those students attending any Illinois State
23 community college, university, or college under this Section.
24 Beginning with recipients receiving scholarships and waivers
25 in August 2014, the Department shall collect data and report
26 annually to the General Assembly on measures of success,

1 including (i) the number of youth applying for and receiving
2 scholarships or waivers, (ii) the percentage of scholarship or
3 waiver recipients who complete their college or university
4 degree within 5 years, (iii) the average length of time it
5 takes for scholarship or waiver recipients to complete their
6 college or university degree, (iv) the reasons that
7 scholarship or waiver recipients are discharged or fail to
8 complete their college or university degree, (v) when
9 available, youths' outcomes 5 years and 10 years after being
10 awarded the scholarships or waivers, and (vi) budget
11 allocations for maintenance and school expenses incurred by
12 the Department.

13 (b) Youth shall receive a tuition and fee waiver to assist
14 them in attending and completing their post-secondary
15 education at any community college, university, or college
16 maintained by the State of Illinois if they are youth for whom
17 the Department has court-ordered legal responsibility, youth
18 who aged out of care at age 18 or older, or youth formerly
19 under care who have been adopted and were the subject of an
20 adoption assistance agreement or who have been placed in
21 private guardianship and were the subject of a subsidized
22 guardianship agreement.

23 To receive a waiver under this subsection, an applicant
24 must:

25 (1) have earned a high school diploma from an
26 accredited institution or a State of Illinois High School

1 Diploma ~~high school equivalency certificate~~ or have met
2 the State criteria for high school graduation before the
3 start of the school year for which the applicant is
4 applying for the waiver;

5 (2) enroll in a qualifying post-secondary education
6 before the applicant reaches the age of 26; and

7 (3) apply for federal and State grant assistance by
8 completing the Free Application for Federal Student Aid.

9 The community college or public university that an
10 applicant attends must waive any tuition and fee amounts that
11 exceed the amounts paid to the applicant under the federal
12 Pell Grant Program or the State's Monetary Award Program.

13 Tuition and fee waivers shall be available to a student
14 for at least the first 5 years the student is enrolled in a
15 community college, university, or college maintained by the
16 State of Illinois so long as the student makes satisfactory
17 progress toward completing his or her degree. The age
18 requirement and 5-year cap on tuition and fee waivers under
19 this subsection shall be waived and eligibility for tuition
20 and fee waivers shall be extended for any applicant or student
21 who the Department determines was unable to enroll in a
22 qualifying post-secondary school or complete an academic term
23 because the applicant or student: (i) was called into active
24 duty with the United States Armed Forces; (ii) was deployed
25 for service in the United States Public Health Service
26 Commissioned Corps; or (iii) volunteered in the Peace Corps or

1 the AmeriCorps. The Department shall extend eligibility for a
2 qualifying applicant or student by the total number of months
3 or years during which the applicant or student served on
4 active duty with the United States Armed Forces, was deployed
5 for service in the United States Public Health Service
6 Commissioned Corps, or volunteered in the Peace Corps or the
7 AmeriCorps. The number of months an applicant or student
8 served on active duty with the United States Armed Forces
9 shall be rounded up to the next higher year to determine the
10 maximum length of time to extend eligibility for the applicant
11 or student.

12 The Department may provide the student with a stipend to
13 cover maintenance and school expenses, except tuition and
14 fees, during the academic years to supplement the student's
15 earnings or other resources so long as the student
16 consistently maintains scholastic records which are acceptable
17 to the student's school and to the Department.

18 The Department shall develop outreach programs to ensure
19 that youths who qualify for the tuition and fee waivers under
20 this subsection who are high school students in grades 9
21 through 12 or who are enrolled in a high school equivalency
22 testing program are aware of the availability of the tuition
23 and fee waivers.

24 (c) Subject to appropriation, the Department shall provide
25 eligible youth an apprenticeship stipend to cover those costs
26 associated with entering and sustaining through completion an

1 apprenticeship, including, but not limited to fees, tuition
2 for classes, work clothes, rain gear, boots, and
3 occupation-specific tools. The following youth may be eligible
4 for the apprenticeship stipend provided under this subsection:
5 youth for whom the Department has court-ordered legal
6 responsibility; youth who aged out of care at age 18 or older;
7 or youth formerly under care who have been adopted and were the
8 subject of an adoption assistance agreement or who have been
9 placed in private guardianship and were the subject of a
10 subsidized guardianship agreement.

11 To receive a stipend under this subsection, an applicant
12 must:

13 (1) be enrolled in an apprenticeship training program
14 approved or recognized by the Illinois Department of
15 Employment Security or an apprenticeship program approved
16 by the United States Department of Labor;

17 (2) not be a recipient of a scholarship or fee waiver
18 under subsection (a) or (b); and

19 (3) be under the age of 26 before enrolling in a
20 qualified apprenticeship program.

21 Apprenticeship stipends shall be available to an eligible
22 youth for a maximum of 5 years after the youth enrolls in a
23 qualifying apprenticeship program so long as the youth makes
24 satisfactory progress toward completing his or her
25 apprenticeship. The age requirement and 5-year cap on the
26 apprenticeship stipend provided under this subsection shall be

1 extended for any applicant who the Department determines was
2 unable to enroll in a qualifying apprenticeship program
3 because the applicant: (i) was called into active duty with
4 the United States Armed Forces; (ii) was deployed for service
5 in the United States Public Health Service Commissioned Corps;
6 or (iii) volunteered in the Peace Corps or the AmeriCorps. The
7 Department shall extend eligibility for a qualifying applicant
8 by the total number of months or years during which the
9 applicant served on active duty with the United States Armed
10 Forces, was deployed for service in the United States Public
11 Health Service Commissioned Corps, or volunteered in the Peace
12 Corps or the AmeriCorps. The number of months an applicant
13 served on active duty with the United States Armed Forces
14 shall be rounded up to the next higher year to determine the
15 maximum length of time to extend eligibility for the
16 applicant.

17 The Department shall develop outreach programs to ensure
18 that youths who qualify for the apprenticeship stipends under
19 this subsection who are high school students in grades 9
20 through 12 or who are enrolled in a high school equivalency
21 testing program are aware of the availability of the
22 apprenticeship stipend.

23 (Source: P.A. 100-1045, eff. 1-1-19; 101-558, eff. 1-1-20.)

24 (20 ILCS 505/35.10)

25 Sec. 35.10. Documents necessary for adult living. The

1 Department shall assist a youth in care in identifying and
2 obtaining documents necessary to function as an independent
3 adult prior to the closure of the youth's case to terminate
4 wardship as provided in Section 2-31 of the Juvenile Court Act
5 of 1987. These necessary documents shall include, but not be
6 limited to, any of the following:

7 (1) State identification card or driver's license.

8 (2) Social Security card.

9 (3) Medical records, including, but not limited to,
10 health passport, dental records, immunization records,
11 name and contact information for all current medical,
12 dental, and mental health providers, and a signed
13 certification that the Department provided the youth with
14 education on executing a healthcare power of attorney.

15 (4) Medicaid card or other health eligibility
16 documentation.

17 (5) Certified copy of birth certificate.

18 (6) Any applicable religious documents.

19 (7) Voter registration card.

20 (8) Immigration, citizenship, or naturalization
21 documentation, if applicable.

22 (9) Death certificates of parents, if applicable.

23 (10) Life book or compilation of personal history and
24 photographs.

25 (11) List of known relatives with relationships,
26 addresses, telephone numbers, and other contact

1 information, with the permission of the involved relative.

2 (12) Resume.

3 (13) Educational records, including list of schools
4 attended, and transcript, high school diploma, or State of
5 Illinois High School Diploma ~~high school equivalency~~
6 ~~certificate~~.

7 (14) List of placements while in care.

8 (15) List of community resources with referral
9 information, including the Midwest Adoption Center for
10 search and reunion services for former youth in care,
11 whether or not they were adopted, and the Illinois Chapter
12 of Foster Care Alumni of America.

13 (16) All documents necessary to complete a Free
14 Application for Federal Student Aid form, if applicable,
15 or an application for State financial aid.

16 If a court determines that a youth in care no longer requires
17 wardship of the court and orders the wardship terminated and
18 all proceedings under the Juvenile Court Act of 1987
19 respecting the youth in care finally closed and discharged,
20 the Department shall ensure that the youth in care receives a
21 copy of the court's order.

22 (Source: P.A. 102-70, eff. 1-1-22.)

23 Section 10. The Illinois Youthbuild Act is amended by
24 changing Section 25 as follows:

1 (20 ILCS 1315/25)

2 Sec. 25. Eligible participants. Eligible participants are
3 youth 16 to 24 years old who are economically disadvantaged as
4 defined in United States Code, Title 29, Section 1503, and who
5 are part of one of the following groups:

6 (a) Persons who are not attending any school and have
7 not received a secondary school diploma or its equivalent.

8 (b) Persons currently enrolled in a traditional or
9 alternative school setting or a high school equivalency
10 testing program and who are in danger of dropping out of
11 school.

12 (c) A member of a low-income family, a youth in foster
13 care (including a youth aging-out of foster care), a youth
14 offender, a youth with a disability, a child of
15 incarcerated parents, or a migrant youth.

16 Not more than 25% of the participants in the program may be
17 individuals who do not meet the requirements of subsections
18 (a) or (b), but who are deficient in basic skills despite
19 having attained a secondary school diploma, State of Illinois
20 High School Diploma ~~high school equivalency certificate~~, or
21 other State-recognized equivalent, or who have been referred
22 by a local secondary school for participation in a Youthbuild
23 program leading to the attainment of a secondary school
24 diploma.

25 (Source: P.A. 98-718, eff. 1-1-15.)

1 Section 15. The Mental Health and Developmental
2 Disabilities Administrative Act is amended by changing Section
3 15.4 as follows:

4 (20 ILCS 1705/15.4)

5 Sec. 15.4. Authorization for nursing delegation to permit
6 direct care staff to administer medications.

7 (a) This Section applies to (i) all residential programs
8 for persons with a developmental disability in settings of 16
9 persons or fewer that are funded or licensed by the Department
10 of Human Services and that distribute or administer
11 medications, (ii) all intermediate care facilities for persons
12 with developmental disabilities with 16 beds or fewer that are
13 licensed by the Department of Public Health, and (iii) all day
14 programs certified to serve persons with developmental
15 disabilities by the Department of Human Services. The
16 Department of Human Services shall develop a training program
17 for authorized direct care staff to administer medications
18 under the supervision and monitoring of a registered
19 professional nurse. The training program for authorized direct
20 care staff shall include educational and oversight components
21 for staff who work in day programs that are similar to those
22 for staff who work in residential programs. This training
23 program shall be developed in consultation with professional
24 associations representing (i) physicians licensed to practice
25 medicine in all its branches, (ii) registered professional

1 nurses, and (iii) pharmacists.

2 (b) For the purposes of this Section:

3 "Authorized direct care staff" means non-licensed persons
4 who have successfully completed a medication administration
5 training program approved by the Department of Human Services
6 and conducted by a nurse-trainer. This authorization is
7 specific to an individual receiving service in a specific
8 agency and does not transfer to another agency.

9 "Medications" means oral and topical medications, insulin
10 in an injectable form, oxygen, epinephrine auto-injectors, and
11 vaginal and rectal creams and suppositories. "Oral" includes
12 inhalants and medications administered through enteral tubes,
13 utilizing aseptic technique. "Topical" includes eye, ear, and
14 nasal medications. Any controlled substances must be packaged
15 specifically for an identified individual.

16 "Insulin in an injectable form" means a subcutaneous
17 injection via an insulin pen pre-filled by the manufacturer.
18 Authorized direct care staff may administer insulin, as
19 ordered by a physician, advanced practice registered nurse, or
20 physician assistant, if: (i) the staff has successfully
21 completed a Department-approved advanced training program
22 specific to insulin administration developed in consultation
23 with professional associations listed in subsection (a) of
24 this Section, and (ii) the staff consults with the registered
25 nurse, prior to administration, of any insulin dose that is
26 determined based on a blood glucose test result. The

1 authorized direct care staff shall not: (i) calculate the
2 insulin dosage needed when the dose is dependent upon a blood
3 glucose test result, or (ii) administer insulin to individuals
4 who require blood glucose monitoring greater than 3 times
5 daily, unless directed to do so by the registered nurse.

6 "Nurse-trainer training program" means a standardized,
7 competency-based medication administration train-the-trainer
8 program provided by the Department of Human Services and
9 conducted by a Department of Human Services master
10 nurse-trainer for the purpose of training nurse-trainers to
11 train persons employed or under contract to provide direct
12 care or treatment to individuals receiving services to
13 administer medications and provide self-administration of
14 medication training to individuals under the supervision and
15 monitoring of the nurse-trainer. The program incorporates
16 adult learning styles, teaching strategies, classroom
17 management, and a curriculum overview, including the ethical
18 and legal aspects of supervising those administering
19 medications.

20 "Self-administration of medications" means an individual
21 administers his or her own medications. To be considered
22 capable to self-administer their own medication, individuals
23 must, at a minimum, be able to identify their medication by
24 size, shape, or color, know when they should take the
25 medication, and know the amount of medication to be taken each
26 time.

1 "Training program" means a standardized medication
2 administration training program approved by the Department of
3 Human Services and conducted by a registered professional
4 nurse for the purpose of training persons employed or under
5 contract to provide direct care or treatment to individuals
6 receiving services to administer medications and provide
7 self-administration of medication training to individuals
8 under the delegation and supervision of a nurse-trainer. The
9 program incorporates adult learning styles, teaching
10 strategies, classroom management, curriculum overview,
11 including ethical-legal aspects, and standardized
12 competency-based evaluations on administration of medications
13 and self-administration of medication training programs.

14 (c) Training and authorization of non-licensed direct care
15 staff by nurse-trainers must meet the requirements of this
16 subsection.

17 (1) Prior to training non-licensed direct care staff
18 to administer medication, the nurse-trainer shall perform
19 the following for each individual to whom medication will
20 be administered by non-licensed direct care staff:

21 (A) An assessment of the individual's health
22 history and physical and mental status.

23 (B) An evaluation of the medications prescribed.

24 (2) Non-licensed authorized direct care staff shall
25 meet the following criteria:

26 (A) Be 18 years of age or older.

1 (B) Have completed high school or have a State of
2 Illinois High School Diploma ~~high school equivalency~~
3 ~~certificate~~.

4 (C) Have demonstrated functional literacy.

5 (D) Have satisfactorily completed the Health and
6 Safety component of a Department of Human Services
7 authorized direct care staff training program.

8 (E) Have successfully completed the training
9 program, pass the written portion of the comprehensive
10 exam, and score 100% on the competency-based
11 assessment specific to the individual and his or her
12 medications.

13 (F) Have received additional competency-based
14 assessment by the nurse-trainer as deemed necessary by
15 the nurse-trainer whenever a change of medication
16 occurs or a new individual that requires medication
17 administration enters the program.

18 (3) Authorized direct care staff shall be re-evaluated
19 by a nurse-trainer at least annually or more frequently at
20 the discretion of the registered professional nurse. Any
21 necessary retraining shall be to the extent that is
22 necessary to ensure competency of the authorized direct
23 care staff to administer medication.

24 (4) Authorization of direct care staff to administer
25 medication shall be revoked if, in the opinion of the
26 registered professional nurse, the authorized direct care

1 staff is no longer competent to administer medication.

2 (5) The registered professional nurse shall assess an
3 individual's health status at least annually or more
4 frequently at the discretion of the registered
5 professional nurse.

6 (d) Medication self-administration shall meet the
7 following requirements:

8 (1) As part of the normalization process, in order for
9 each individual to attain the highest possible level of
10 independent functioning, all individuals shall be
11 permitted to participate in their total health care
12 program. This program shall include, but not be limited
13 to, individual training in preventive health and
14 self-medication procedures.

15 (A) Every program shall adopt written policies and
16 procedures for assisting individuals in obtaining
17 preventative health and self-medication skills in
18 consultation with a registered professional nurse,
19 advanced practice registered nurse, physician
20 assistant, or physician licensed to practice medicine
21 in all its branches.

22 (B) Individuals shall be evaluated to determine
23 their ability to self-medicate by the nurse-trainer
24 through the use of the Department's required,
25 standardized screening and assessment instruments.

26 (C) When the results of the screening and

1 assessment indicate an individual not to be capable to
2 self-administer his or her own medications, programs
3 shall be developed in consultation with the Community
4 Support Team or Interdisciplinary Team to provide
5 individuals with self-medication administration.

6 (2) Each individual shall be presumed to be competent
7 to self-administer medications if:

8 (A) authorized by an order of a physician licensed
9 to practice medicine in all its branches, an advanced
10 practice registered nurse, or a physician assistant;
11 and

12 (B) approved to self-administer medication by the
13 individual's Community Support Team or
14 Interdisciplinary Team, which includes a registered
15 professional nurse or an advanced practice registered
16 nurse.

17 (e) Quality Assurance.

18 (1) A registered professional nurse, advanced practice
19 registered nurse, licensed practical nurse, physician
20 licensed to practice medicine in all its branches,
21 physician assistant, or pharmacist shall review the
22 following for all individuals:

23 (A) Medication orders.

24 (B) Medication labels, including medications
25 listed on the medication administration record for
26 persons who are not self-medicating to ensure the

1 labels match the orders issued by the physician
2 licensed to practice medicine in all its branches,
3 advanced practice registered nurse, or physician
4 assistant.

5 (C) Medication administration records for persons
6 who are not self-medicating to ensure that the records
7 are completed appropriately for:

8 (i) medication administered as prescribed;

9 (ii) refusal by the individual; and

10 (iii) full signatures provided for all
11 initials used.

12 (2) Reviews shall occur at least quarterly, but may be
13 done more frequently at the discretion of the registered
14 professional nurse or advanced practice registered nurse.

15 (3) A quality assurance review of medication errors
16 and data collection for the purpose of monitoring and
17 recommending corrective action shall be conducted within 7
18 days and included in the required annual review.

19 (f) Programs using authorized direct care staff to
20 administer medications are responsible for documenting and
21 maintaining records on the training that is completed.

22 (g) The absence of this training program constitutes a
23 threat to the public interest, safety, and welfare and
24 necessitates emergency rulemaking by the Departments of Human
25 Services and Public Health under Section 5-45 of the Illinois
26 Administrative Procedure Act.

1 (h) Direct care staff who fail to qualify for delegated
2 authority to administer medications pursuant to the provisions
3 of this Section shall be given additional education and
4 testing to meet criteria for delegation authority to
5 administer medications. Any direct care staff person who fails
6 to qualify as an authorized direct care staff after initial
7 training and testing must within 3 months be given another
8 opportunity for retraining and retesting. A direct care staff
9 person who fails to meet criteria for delegated authority to
10 administer medication, including, but not limited to, failure
11 of the written test on 2 occasions shall be given
12 consideration for shift transfer or reassignment, if possible.
13 No employee shall be terminated for failure to qualify during
14 the 3-month time period following initial testing. Refusal to
15 complete training and testing required by this Section may be
16 grounds for immediate dismissal.

17 (i) No authorized direct care staff person delegated to
18 administer medication shall be subject to suspension or
19 discharge for errors resulting from the staff person's acts or
20 omissions when performing the functions unless the staff
21 person's actions or omissions constitute willful and wanton
22 conduct. Nothing in this subsection is intended to supersede
23 paragraph (4) of subsection (c).

24 (j) A registered professional nurse, advanced practice
25 registered nurse, physician licensed to practice medicine in
26 all its branches, or physician assistant shall be on duty or on

1 call at all times in any program covered by this Section.

2 (k) The employer shall be responsible for maintaining
3 liability insurance for any program covered by this Section.

4 (l) Any direct care staff person who qualifies as
5 authorized direct care staff pursuant to this Section shall be
6 granted consideration for a one-time additional salary
7 differential. The Department shall determine and provide the
8 necessary funding for the differential in the base. This
9 subsection (l) is inoperative on and after June 30, 2000.

10 (Source: P.A. 99-78, eff. 7-20-15; 99-143, eff. 7-27-15;
11 99-581, eff. 1-1-17; 100-50, eff. 1-1-18; 100-513, eff.
12 1-1-18; 100-863, eff. 8-14-18.)

13 Section 20. The School Code is amended by changing
14 Sections 3-15.12, 13-40, and 26-2 as follows:

15 (105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

16 Sec. 3-15.12. High school equivalency. The regional
17 superintendent of schools and the Illinois Community College
18 Board shall make available for qualified individuals residing
19 within the region a High School Equivalency Testing Program
20 and alternative methods of credentialing, as identified under
21 this Section. For that purpose the regional superintendent
22 alone or with other regional superintendents may establish and
23 supervise a testing center or centers to administer the secure
24 forms for high school equivalency testing to qualified

1 persons. Such centers shall be under the supervision of the
2 regional superintendent in whose region such centers are
3 located, subject to the approval of the Executive Director of
4 the Illinois Community College Board. The Illinois Community
5 College Board shall also establish criteria and make available
6 alternative methods of credentialing throughout the State.

7 An individual is eligible to apply to the regional
8 superintendent of schools for the region in which he or she
9 resides if he or she is: (a) a person who is 17 years of age or
10 older, has maintained residence in the State of Illinois, and
11 is not a high school graduate; (b) a person who is successfully
12 completing an alternative education program under Section
13 2-3.81, Article 13A, or Article 13B; or (c) a person who is
14 enrolled in a youth education program sponsored by the
15 Illinois National Guard. For purposes of this Section,
16 residence is that abode which the applicant considers his or
17 her home. Applicants may provide as sufficient proof of such
18 residence and as an acceptable form of identification a
19 driver's license, valid passport, military ID, or other form
20 of government-issued national or foreign identification that
21 shows the applicant's name, address, date of birth, signature,
22 and photograph or other acceptable identification as may be
23 allowed by law or as regulated by the Illinois Community
24 College Board. Such regional superintendent shall determine if
25 the applicant meets statutory and regulatory state standards.

26 If qualified the applicant shall at the time of such

1 application pay a fee established by the Illinois Community
2 College Board, which fee shall be paid into a special fund
3 under the control and supervision of the regional
4 superintendent. Such moneys received by the regional
5 superintendent shall be used, first, for the expenses incurred
6 in administering and scoring the examination, and next for
7 other educational programs that are developed and designed by
8 the regional superintendent of schools to assist those who
9 successfully complete high school equivalency testing or meet
10 the criteria for alternative methods of credentialing in
11 furthering their academic development or their ability to
12 secure and retain gainful employment, including programs for
13 the competitive award based on test scores of college or adult
14 education scholarship grants or similar educational
15 incentives. Any excess moneys shall be paid into the institute
16 fund.

17 Any applicant who has achieved the minimum passing
18 standards as established by the Illinois Community College
19 Board shall be notified in writing by the regional
20 superintendent and shall be issued a State of Illinois High
21 School Diploma ~~high school equivalency certificate~~ on the
22 forms provided by the Illinois Community College Board. The
23 regional superintendent shall then certify to the Illinois
24 Community College Board the score of the applicant and such
25 other and additional information that may be required by the
26 Illinois Community College Board. The moneys received

1 therefrom shall be used in the same manner as provided for in
2 this Section.

3 The Illinois Community College Board shall establish
4 alternative methods of credentialing for the issuance of a
5 State of Illinois High School Diploma ~~high school equivalency~~
6 ~~certification~~. In addition to high school equivalency testing,
7 the following alternative methods of receiving a State of
8 Illinois High School Diploma ~~high school equivalency~~
9 ~~credential~~ shall be made available to qualified individuals on
10 or after January 1, 2018:

11 (A) High School Equivalency based on High School
12 Credit. A qualified candidate may petition to have his or
13 her high school transcripts evaluated to determine what
14 the candidate needs to meet criteria as established by the
15 Illinois Community College Board.

16 (B) High School Equivalency based on Post-Secondary
17 Credit. A qualified candidate may petition to have his or
18 her post-secondary transcripts evaluated to determine what
19 the candidate needs to meet criteria established by the
20 Illinois Community College Board.

21 (C) High School Equivalency based on a Foreign
22 Diploma. A qualified candidate may petition to have his or
23 her foreign high school or post-secondary transcripts
24 evaluated to determine what the candidate needs to meet
25 criteria established by the Illinois Community College
26 Board.

1 (D) High School Equivalency based on Completion of a
2 Competency-Based Program as approved by the Illinois
3 Community College Board. The Illinois Community College
4 Board shall establish guidelines for competency-based high
5 school equivalency programs.

6 Any applicant who has attained the age of 17 years and
7 maintained residence in the State of Illinois and is not a high
8 school graduate, any person who has enrolled in a youth
9 education program sponsored by the Illinois National Guard, or
10 any person who has successfully completed an alternative
11 education program under Section 2-3.81, Article 13A, or
12 Article 13B is eligible to apply for a State of Illinois High
13 School Diploma ~~high school equivalency certificate~~ (if he or
14 she meets the requirements prescribed by the Illinois
15 Community College Board) upon showing evidence that he or she
16 has completed, successfully, high school equivalency testing,
17 administered by the United States Armed Forces Institute,
18 official high school equivalency testing centers established
19 in other states, Veterans' Administration Hospitals, or the
20 office of the State Superintendent of Education for the
21 Illinois State Penitentiary System and the Department of
22 Corrections. Such applicant shall apply to the regional
23 superintendent of the region wherein he or she has maintained
24 residence, and, upon payment of a fee established by the
25 Illinois Community College Board, the regional superintendent
26 shall issue a State of Illinois High School Diploma ~~high~~

1 ~~school equivalency certificate~~ and immediately thereafter
2 certify to the Illinois Community College Board the score of
3 the applicant and such other and additional information as may
4 be required by the Illinois Community College Board.

5 Notwithstanding the provisions of this Section, any
6 applicant who has been out of school for at least one year may
7 request the regional superintendent of schools to administer
8 restricted high school equivalency testing upon written
9 request of: the director of a program who certifies to the
10 Chief Examiner of an official high school equivalency testing
11 center that the applicant has completed a program of
12 instruction provided by such agencies as the Job Corps, the
13 Postal Service Academy, or an apprenticeship training program;
14 an employer or program director for purposes of entry into
15 apprenticeship programs; another state's department of
16 education in order to meet regulations established by that
17 department of education; or a post high school educational
18 institution for purposes of admission, the Department of
19 Financial and Professional Regulation for licensing purposes,
20 or the Armed Forces for induction purposes. The regional
21 superintendent shall administer such testing, and the
22 applicant shall be notified in writing that he or she is
23 eligible to receive a State of Illinois High School Diploma
24 ~~high school equivalency certificate~~ upon reaching age 17,
25 provided he or she meets the standards established by the
26 Illinois Community College Board.

1 Any test administered under this Section to an applicant
2 who does not speak and understand English may at the
3 discretion of the administering agency be given and answered
4 in any language in which the test is printed. The regional
5 superintendent of schools may waive any fees required by this
6 Section in case of hardship. The regional superintendent of
7 schools and the Illinois Community College Board shall waive
8 any fees required by this Section for an applicant who meets
9 all of the following criteria:

10 (1) The applicant qualifies as a homeless person,
11 child, or youth as defined in the Education for Homeless
12 Children Act.

13 (2) The applicant has not attained 25 years of age as
14 of the date of the scheduled test.

15 (3) The applicant can verify his or her status as a
16 homeless person, child, or youth. A homeless services
17 provider that is qualified to verify an individual's
18 housing status, as determined by the Illinois Community
19 College Board, and that has knowledge of the applicant's
20 housing status may verify the applicant's status for
21 purposes of this subdivision (3).

22 (4) The applicant has completed a high school
23 equivalency preparation course through an Illinois
24 Community College Board-approved provider.

25 (5) The applicant is taking the test at a testing
26 center operated by a regional superintendent of schools or

1 the Cook County High School Equivalency Office.

2 In counties of over 3,000,000 population, a State of
3 Illinois High School Diploma ~~high school equivalency~~
4 ~~certificate~~ shall contain the signatures of the Executive
5 Director of the Illinois Community College Board and the
6 superintendent, president, or other chief executive officer of
7 the institution where high school equivalency testing
8 instruction occurred and any other signatures authorized by
9 the Illinois Community College Board.

10 The regional superintendent of schools shall furnish the
11 Illinois Community College Board with any information that the
12 Illinois Community College Board requests with regard to
13 testing and diplomas ~~certificates~~ under this Section.

14 (Source: P.A. 99-78, eff. 7-20-15; 99-742, eff. 1-1-17;
15 100-130, eff. 1-1-18.)

16 (105 ILCS 5/13-40) (from Ch. 122, par. 13-40)

17 Sec. 13-40. To increase the effectiveness of the
18 Department of Juvenile Justice and thereby to better serve the
19 interests of the people of Illinois the following bill is
20 presented.

21 Its purpose is to enhance the quality and scope of
22 education for inmates and wards within the Department of
23 Juvenile Justice so that they will be better motivated and
24 better equipped to restore themselves to constructive and law
25 abiding lives in the community. The specific measure sought is

1 the creation of a school district within the Department so
2 that its educational programs can meet the needs of persons
3 committed and so the resources of public education at the
4 state and federal levels are best used, all of the same being
5 contemplated within the provisions of the Illinois State
6 Constitution of 1970 which provides that "A fundamental goal
7 of the People of the State is the educational development of
8 all persons to the limits of their capacities." Therefore, on
9 July 1, 2006, the Department of Corrections school district
10 shall be transferred to the Department of Juvenile Justice. It
11 shall be responsible for the education of youth within the
12 Department of Juvenile Justice and inmates age 21 or under
13 within the Department of Corrections who have not yet earned a
14 high school diploma or a State of Illinois High School Diploma
15 ~~high school equivalency certificate~~, and the district may
16 establish primary, secondary, vocational, adult, special, and
17 advanced educational schools as provided in this Act. The
18 Department of Corrections retains authority as provided for in
19 subsection (d) of Section 3-6-2 of the Unified Code of
20 Corrections. The Board of Education for this district shall
21 with the aid and advice of professional educational personnel
22 of the Department of Juvenile Justice and the State Board of
23 Education determine the needs and type of schools and the
24 curriculum for each school within the school district and may
25 proceed to establish the same through existing means within
26 present and future appropriations, federal and state school

1 funds, vocational rehabilitation grants and funds and all
2 other funds, gifts and grants, private or public, including
3 federal funds, but not exclusive to the said sources but
4 inclusive of all funds which might be available for school
5 purposes.

6 (Source: P.A. 98-718, eff. 1-1-15.)

7 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

8 Sec. 26-2. Enrolled pupils not of compulsory school age.

9 (a) For school years before the 2014-2015 school year, any
10 person having custody or control of a child who is below the
11 age of 7 years or is 17 years of age or above and who is
12 enrolled in any of grades kindergarten through 12 in the
13 public school shall cause him to attend the public school in
14 the district wherein he resides when it is in session during
15 the regular school term, unless he is excused under paragraph
16 2, 3, 4, 5, or 6 of Section 26-1. Beginning with the 2014-2015
17 school year, any person having custody or control of a child
18 who is below the age of 6 years or is 17 years of age or above
19 and who is enrolled in any of grades kindergarten through 12 in
20 the public school shall cause the child to attend the public
21 school in the district wherein he or she resides when it is in
22 session during the regular school term, unless the child is
23 excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of
24 this Code.

25 (b) A school district shall deny reenrollment in its

1 secondary schools to any child 19 years of age or above who has
2 dropped out of school and who could not, because of age and
3 lack of credits, attend classes during the normal school year
4 and graduate before his or her twenty-first birthday. A
5 district may, however, enroll the child in a graduation
6 incentives program under Section 26-16 of this Code or an
7 alternative learning opportunities program established under
8 Article 13B. No child shall be denied reenrollment for the
9 above reasons unless the school district first offers the
10 child due process as required in cases of expulsion under
11 Section 10-22.6. If a child is denied reenrollment after being
12 provided with due process, the school district must provide
13 counseling to that child and must direct that child to
14 alternative educational programs, including adult education
15 programs, that lead to graduation or receipt of a State of
16 Illinois High School Diploma ~~high school equivalency~~
17 ~~certificate~~.

18 (c) A school or school district may deny enrollment to a
19 student 17 years of age or older for one semester for failure
20 to meet minimum attendance standards if all of the following
21 conditions are met:

22 (1) The student was absent without valid cause for 20%
23 or more of the attendance days in the semester immediately
24 prior to the current semester.

25 (2) The student and the student's parent or guardian
26 are given written notice warning that the student is

1 subject to denial from enrollment for one semester unless
2 the student is absent without valid cause less than 20% of
3 the attendance days in the current semester.

4 (3) The student's parent or guardian is provided with
5 the right to appeal the notice, as determined by the State
6 Board of Education in accordance with due process.

7 (4) The student is provided with attendance
8 remediation services, including without limitation
9 assessment, counseling, and support services.

10 (5) The student is absent without valid cause for 20%
11 or more of the attendance days in the current semester.

12 A school or school district may not deny enrollment to a
13 student (or reenrollment to a dropout) who is at least 17 years
14 of age or older but below 19 years for more than one
15 consecutive semester for failure to meet attendance standards.

16 (d) No child may be denied reenrollment under this Section
17 in violation of the federal Individuals with Disabilities
18 Education Act or the Americans with Disabilities Act.

19 (e) In this subsection (e), "reenrolled student" means a
20 dropout who has reenrolled full-time in a public school. Each
21 school district shall identify, track, and report on the
22 educational progress and outcomes of reenrolled students as a
23 subset of the district's required reporting on all
24 enrollments. A reenrolled student who again drops out must not
25 be counted again against a district's dropout rate performance
26 measure. The State Board of Education shall set performance

1 standards for programs serving reenrolled students.

2 (f) The State Board of Education shall adopt any rules
3 necessary to implement the changes to this Section made by
4 Public Act 93-803.

5 (Source: P.A. 100-825, eff. 8-13-18.)

6 Section 25. The Public University Uniform Admission Pilot
7 Program Act is amended by changing Section 25 as follows:

8 (110 ILCS 118/25)

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

10 Sec. 25. Graduates of nonaccredited private schools.

11 (a) As used in this Section, "nonaccredited secondary
12 education" means a course of study at the secondary school
13 level in a nonaccredited private school setting.

14 (b) Because the State of Illinois considers successful
15 completion of a nonaccredited secondary education to be
16 equivalent to graduation from a public high school, an
17 institution, in complying with this Act and for all other
18 purposes, must treat an applicant for admission to the
19 institution as an undergraduate student who presents evidence
20 that he or she has successfully completed a nonaccredited
21 secondary education according to the same general standards,
22 including specific standardized testing score requirements, as
23 other applicants for undergraduate admission who have
24 graduated from a public high school.

1 (c) An institution may not require an applicant for
2 admission to the institution as an undergraduate student who
3 presents evidence that he or she has successfully completed a
4 nonaccredited secondary education to:

5 (1) obtain or submit evidence that the person has
6 obtained a general educational development certificate,
7 State of Illinois High School Diploma ~~certificate of high~~
8 ~~school equivalency~~, or other credentials equivalent to a
9 public high school degree; or

10 (2) take an examination or comply with any other
11 application or admission requirement not generally
12 applicable to other applicants for undergraduate admission
13 to the institution.

14 (d) In complying with this Act or otherwise, when an
15 institution in its undergraduate admission review process
16 sorts or is required to sort applicants by high school
17 graduating class rank, the institution shall place any
18 applicant who presents evidence that the applicant has
19 successfully completed a nonaccredited secondary education
20 that does not include a high school graduating class ranking
21 at the average high school graduating class rank of
22 undergraduate applicants to the institution who have
23 equivalent standardized testing scores as the applicant.

24 (e) Notwithstanding any other provision of this Act, with
25 respect to admission into the institution or any program
26 within the institution, with respect to scholarship programs,

1 and with respect to other terms and conditions, and in
2 complying with this Act, an institution may not treat an
3 applicant who has successfully completed a nonaccredited
4 secondary education that does not include a high school
5 graduating class ranking differently than an applicant who
6 graduated from an accredited public school.

7 (Source: P.A. 101-448, eff. 1-1-20.)

8 Section 30. The Public Community College Act is amended by
9 changing Section 2-22 as follows:

10 (110 ILCS 805/2-22)

11 Sec. 2-22. High school equivalency testing ~~certificates~~.
12 On the effective date of this amendatory Act of the 94th
13 General Assembly, all powers and duties of the State Board of
14 Education and State Superintendent of Education with regard to
15 high school equivalency testing ~~certificates~~ under the School
16 Code shall be transferred to the Illinois Community College
17 Board. Within a reasonable period of time after that date, all
18 assets, liabilities, contracts, property, records, pending
19 business, and unexpended appropriations of the State Board of
20 Education with regard to high school equivalency testing
21 ~~certificates~~ shall be transferred to the Illinois Community
22 College Board. The Illinois Community College Board may adopt
23 any rules necessary to carry out its responsibilities under
24 the School Code with regard to high school equivalency testing

1 ~~certificates~~ and to carry into efficient and uniform effect
2 the provisions for the issuance of State of Illinois High
3 School Diplomas ~~high school equivalency certificates~~ in this
4 State. All rules, standards, and procedures adopted by the
5 State Board of Education under the School Code with regard to
6 high school equivalency testing ~~certificates~~ shall continue in
7 effect as the rules, standards, and procedures of the Illinois
8 Community College Board, until they are modified by the
9 Illinois Community College Board.

10 (Source: P.A. 94-108, eff. 7-1-05.)

11 Section 35. The Higher Education Student Assistance Act is
12 amended by changing Sections 50, 52, and 62 as follows:

13 (110 ILCS 947/50)

14 Sec. 50. Minority Teachers of Illinois scholarship
15 program.

16 (a) As used in this Section:

17 "Eligible applicant" means a minority student who has
18 graduated from high school or has received a State of
19 Illinois High School Diploma ~~high school equivalency~~
20 ~~certificate~~ and has maintained a cumulative grade point
21 average of no less than 2.5 on a 4.0 scale, and who by
22 reason thereof is entitled to apply for scholarships to be
23 awarded under this Section.

24 "Minority student" means a student who is any of the

1 following:

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

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

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

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

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

20 "Qualified bilingual minority applicant" means a
21 qualified student who demonstrates proficiency in a
22 language other than English by (i) receiving a State Seal
23 of Biliteracy from the State Board of Education or (ii)
24 receiving a passing score on an educator licensure target
25 language proficiency test.

26 "Qualified student" means a person (i) who is a

1 resident of this State and a citizen or permanent resident
2 of the United States; (ii) who is a minority student, as
3 defined in this Section; (iii) who, as an eligible
4 applicant, has made a timely application for a minority
5 teaching scholarship under this Section; (iv) who is
6 enrolled on at least a half-time basis at a qualified
7 Illinois institution of higher learning; (v) who is
8 enrolled in a course of study leading to teacher
9 licensure, including alternative teacher licensure, or, if
10 the student is already licensed to teach, in a course of
11 study leading to an additional teaching endorsement or a
12 master's degree in an academic field in which he or she is
13 teaching or plans to teach or who has received one or more
14 College and Career Pathway Endorsements pursuant to
15 Section 80 of the Postsecondary and Workforce Readiness
16 Act and commits to enrolling in a course of study leading
17 to teacher licensure, including alternative teacher
18 licensure; (vi) who maintains a grade point average of no
19 less than 2.5 on a 4.0 scale; and (vii) who continues to
20 advance satisfactorily toward the attainment of a degree.

21 (b) In order to encourage academically talented Illinois
22 minority students to pursue teaching careers at the preschool
23 or elementary or secondary school level and to address and
24 alleviate the teacher shortage crisis in this State described
25 under the provisions of the Transitions in Education Act, each
26 qualified student shall be awarded a minority teacher

1 scholarship to any qualified Illinois institution of higher
2 learning. However, preference may be given to qualified
3 applicants enrolled at or above the junior level.

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

25 (d) The total amount of minority teacher scholarship
26 assistance awarded by the Commission under this Section to an

1 individual in any given fiscal year, when added to other
2 financial assistance awarded to that individual for that year,
3 shall not exceed the cost of attendance at the institution at
4 which the student is enrolled. If the amount of minority
5 teacher scholarship to be awarded to a qualified student as
6 provided in subsection (c) of this Section exceeds the cost of
7 attendance at the institution at which the student is
8 enrolled, the minority teacher scholarship shall be reduced by
9 an amount equal to the amount by which the combined financial
10 assistance available to the student exceeds the cost of
11 attendance.

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

15 (f) In any academic year for which an eligible applicant
16 under this Section accepts financial assistance through the
17 Paul Douglas Teacher Scholarship Program, as authorized by
18 Section 551 et seq. of the Higher Education Act of 1965, the
19 applicant shall not be eligible for scholarship assistance
20 awarded under this Section.

21 (g) All applications for minority teacher scholarships to
22 be awarded under this Section shall be made to the Commission
23 on forms which the Commission shall provide for eligible
24 applicants. The form of applications and the information
25 required to be set forth therein shall be determined by the
26 Commission, and the Commission shall require eligible

1 applicants to submit with their applications such supporting
2 documents or recommendations as the Commission deems
3 necessary.

4 (h) Subject to a separate appropriation for such purposes,
5 payment of any minority teacher scholarship awarded under this
6 Section shall be determined by the Commission. All scholarship
7 funds distributed in accordance with this subsection shall be
8 paid to the institution and used only for payment of the
9 tuition and fee and room and board expenses incurred by the
10 student in connection with his or her attendance at a
11 qualified Illinois institution of higher learning. Any
12 minority teacher scholarship awarded under this Section shall
13 be applicable to 2 semesters or 3 quarters of enrollment. If a
14 qualified student withdraws from enrollment prior to
15 completion of the first semester or quarter for which the
16 minority teacher scholarship is applicable, the school shall
17 refund to the Commission the full amount of the minority
18 teacher scholarship.

19 (i) The Commission shall administer the minority teacher
20 scholarship aid program established by this Section and shall
21 make all necessary and proper rules not inconsistent with this
22 Section for its effective implementation.

23 (j) When an appropriation to the Commission for a given
24 fiscal year is insufficient to provide scholarships to all
25 qualified students, the Commission shall allocate the
26 appropriation in accordance with this subsection. If funds are

1 insufficient to provide all qualified students with a
2 scholarship as authorized by this Section, the Commission
3 shall allocate the available scholarship funds for that fiscal
4 year to qualified students who submit a complete application
5 form on or before a date specified by the Commission based on
6 the following order of priority:

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

10 (2) Except as otherwise provided in subsection (k), to
11 students who demonstrate financial need, as determined by
12 the Commission.

13 (k) Notwithstanding paragraph (2) of subsection (j), at
14 least 35% of the funds appropriated for scholarships awarded
15 under this Section in each fiscal year shall be reserved for
16 qualified male minority applicants, with priority being given
17 to qualified Black male applicants beginning with fiscal year
18 2023. If the Commission does not receive enough applications
19 from qualified male minorities on or before January 1 of each
20 fiscal year to award 35% of the funds appropriated for these
21 scholarships to qualified male minority applicants, then the
22 Commission may award a portion of the reserved funds to
23 qualified female minority applicants in accordance with
24 subsection (j).

25 Beginning with fiscal year 2023, if at least \$2,850,000
26 but less than \$4,200,000 is appropriated in a given fiscal

1 year for scholarships awarded under this Section, then at
2 least 10% of the funds appropriated shall be reserved for
3 qualified bilingual minority applicants, with priority being
4 given to qualified bilingual minority applicants who are
5 enrolled in an educator preparation program with a
6 concentration in bilingual, bicultural education. Beginning
7 with fiscal year 2023, if at least \$4,200,000 is appropriated
8 in a given fiscal year for the Minority Teachers of Illinois
9 scholarship program, then at least 30% of the funds
10 appropriated shall be reserved for qualified bilingual
11 minority applicants, with priority being given to qualified
12 bilingual minority applicants who are enrolled in an educator
13 preparation program with a concentration in bilingual,
14 bicultural education. Beginning with fiscal year 2023, if at
15 least \$2,850,000 is appropriated in a given fiscal year for
16 scholarships awarded under this Section but the Commission
17 does not receive enough applications from qualified bilingual
18 minority applicants on or before January 1 of that fiscal year
19 to award at least 10% of the funds appropriated to qualified
20 bilingual minority applicants, then the Commission may, in its
21 discretion, award a portion of the reserved funds to other
22 qualified students in accordance with subsection (j).

23 (1) Prior to receiving scholarship assistance for any
24 academic year, each recipient of a minority teacher
25 scholarship awarded under this Section shall be required by
26 the Commission to sign an agreement under which the recipient

1 pledges that, within the one-year period following the
2 termination of the program for which the recipient was awarded
3 a minority teacher scholarship, the recipient (i) shall begin
4 teaching for a period of not less than one year for each year
5 of scholarship assistance he or she was awarded under this
6 Section; (ii) shall fulfill this teaching obligation at a
7 nonprofit Illinois public, private, or parochial preschool,
8 elementary school, or secondary school at which no less than
9 30% of the enrolled students are minority students in the year
10 during which the recipient begins teaching at the school or
11 may instead, if the recipient received a scholarship as a
12 qualified bilingual minority applicant, fulfill this teaching
13 obligation in a program in transitional bilingual education
14 pursuant to Article 14C of the School Code or in a school in
15 which 20 or more English learner students in the same language
16 classification are enrolled; and (iii) shall, upon request by
17 the Commission, provide the Commission with evidence that he
18 or she is fulfilling or has fulfilled the terms of the teaching
19 agreement provided for in this subsection.

20 (m) If a recipient of a minority teacher scholarship
21 awarded under this Section fails to fulfill the teaching
22 obligation set forth in subsection (l) of this Section, the
23 Commission shall require the recipient to repay the amount of
24 the scholarships received, prorated according to the fraction
25 of the teaching obligation not completed, at a rate of
26 interest equal to 5%, and, if applicable, reasonable

1 collection fees. The Commission is authorized to establish
2 rules relating to its collection activities for repayment of
3 scholarships under this Section. All repayments collected
4 under this Section shall be forwarded to the State Comptroller
5 for deposit into the State's General Revenue Fund.

6 (n) A recipient of minority teacher scholarship shall not
7 be considered in violation of the agreement entered into
8 pursuant to subsection (l) if the recipient (i) enrolls on a
9 full time basis as a graduate student in a course of study
10 related to the field of teaching at a qualified Illinois
11 institution of higher learning; (ii) is serving, not in excess
12 of 3 years, as a member of the armed services of the United
13 States; (iii) is a person with a temporary total disability
14 for a period of time not to exceed 3 years as established by
15 sworn affidavit of a qualified physician; (iv) is seeking and
16 unable to find full time employment as a teacher at an Illinois
17 public, private, or parochial preschool or elementary or
18 secondary school that satisfies the criteria set forth in
19 subsection (l) of this Section and is able to provide evidence
20 of that fact; (v) becomes a person with a permanent total
21 disability as established by sworn affidavit of a qualified
22 physician; (vi) is taking additional courses, on at least a
23 half-time basis, needed to obtain licensure as a teacher in
24 Illinois; or (vii) is fulfilling teaching requirements
25 associated with other programs administered by the Commission
26 and cannot concurrently fulfill them under this Section in a

1 period of time equal to the length of the teaching obligation.

2 (o) Scholarship recipients under this Section who withdraw
3 from a program of teacher education but remain enrolled in
4 school to continue their postsecondary studies in another
5 academic discipline shall not be required to commence
6 repayment of their Minority Teachers of Illinois scholarship
7 so long as they remain enrolled in school on a full-time basis
8 or if they can document for the Commission special
9 circumstances that warrant extension of repayment.

10 (p) If the Minority Teachers of Illinois scholarship
11 program does not expend at least 90% of the amount
12 appropriated for the program in a given fiscal year for 3
13 consecutive fiscal years and the Commission does not receive
14 enough applications from the groups identified in subsection
15 (k) on or before January 1 in each of those fiscal years to
16 meet the percentage reserved for those groups under subsection
17 (k), then up to 3% of amount appropriated for the program for
18 each of next 3 fiscal years shall be allocated to increasing
19 awareness of the program and for the recruitment of Black male
20 applicants. The Commission shall make a recommendation to the
21 General Assembly by January 1 of the year immediately
22 following the end of that third fiscal year regarding whether
23 the amount allocated to increasing awareness and recruitment
24 should continue.

25 (q) Each qualified Illinois institution of higher learning
26 that receives funds from the Minority Teachers of Illinois

1 scholarship program shall host an annual information session
2 at the institution about the program for teacher candidates of
3 color in accordance with rules adopted by the Commission.
4 Additionally, the institution shall ensure that each
5 scholarship recipient enrolled at the institution meets with
6 an academic advisor at least once per academic year to
7 facilitate on-time completion of the recipient's educator
8 preparation program.

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

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

14 (110 ILCS 947/52)

15 Sec. 52. Golden Apple Scholars of Illinois Program; Golden
16 Apple Foundation for Excellence in Teaching.

17 (a) In this Section, "Foundation" means the Golden Apple
18 Foundation for Excellence in Teaching, a registered 501(c)(3)
19 not-for-profit corporation.

20 (a-2) In order to encourage academically talented Illinois
21 students, especially minority students, to pursue teaching
22 careers, especially in teacher shortage disciplines (which
23 shall be defined to include early childhood education) or at
24 hard-to-staff schools (as defined by the Commission in
25 consultation with the State Board of Education), to provide

1 those students with the crucial mentoring, guidance, and
2 in-service support that will significantly increase the
3 likelihood that they will complete their full teaching
4 commitments and elect to continue teaching in targeted
5 disciplines and hard-to-staff schools, and to ensure that
6 students in this State will continue to have access to a pool
7 of highly-qualified teachers, each qualified student shall be
8 awarded a Golden Apple Scholars of Illinois Program
9 scholarship to any Illinois institution of higher learning.
10 The Commission shall administer the Golden Apple Scholars of
11 Illinois Program, which shall be managed by the Foundation
12 pursuant to the terms of a grant agreement meeting the
13 requirements of Section 4 of the Illinois Grant Funds Recovery
14 Act.

15 (a-3) For purposes of this Section, a qualified student
16 shall be a student who meets the following qualifications:

17 (1) is a resident of this State and a citizen or
18 eligible noncitizen of the United States;

19 (2) is a high school graduate or a person who has
20 received a State of Illinois High School Diploma ~~high~~
21 ~~school equivalency certificate;~~

22 (3) is enrolled or accepted, on at least a half-time
23 basis, at an institution of higher learning;

24 (4) is pursuing a postsecondary course of study
25 leading to initial certification or pursuing additional
26 course work needed to gain State Board of Education

1 approval to teach, including alternative teacher
2 licensure; and

3 (5) is a participant in programs managed by and is
4 approved to receive a scholarship from the Foundation.

5 (a-5) (Blank).

6 (b) (Blank).

7 (b-5) Funds designated for the Golden Apple Scholars of
8 Illinois Program shall be used by the Commission for the
9 payment of scholarship assistance under this Section or for
10 the award of grant funds, subject to the Illinois Grant Funds
11 Recovery Act, to the Foundation. Subject to appropriation,
12 awards of grant funds to the Foundation shall be made on an
13 annual basis and following an application for grant funds by
14 the Foundation.

15 (b-10) Each year, the Foundation shall include in its
16 application to the Commission for grant funds an estimate of
17 the amount of scholarship assistance to be provided to
18 qualified students during the grant period. Any amount of
19 appropriated funds exceeding the estimated amount of
20 scholarship assistance may be awarded by the Commission to the
21 Foundation for management expenses expected to be incurred by
22 the Foundation in providing the mentoring, guidance, and
23 in-service supports that will increase the likelihood that
24 qualified students will complete their teaching commitments
25 and elect to continue teaching in hard-to-staff schools. If
26 the estimate of the amount of scholarship assistance described

1 in the Foundation's application is less than the actual amount
2 required for the award of scholarship assistance to qualified
3 students, the Foundation shall be responsible for using
4 awarded grant funds to ensure all qualified students receive
5 scholarship assistance under this Section.

6 (b-15) All grant funds not expended or legally obligated
7 within the time specified in a grant agreement between the
8 Foundation and the Commission shall be returned to the
9 Commission within 45 days. Any funds legally obligated by the
10 end of a grant agreement shall be liquidated within 45 days or
11 otherwise returned to the Commission within 90 days after the
12 end of the grant agreement that resulted in the award of grant
13 funds.

14 (c) Each scholarship awarded under this Section shall be
15 in an amount sufficient to pay the tuition and fees and room
16 and board costs of the Illinois institution of higher learning
17 at which the recipient is enrolled, up to an annual maximum of
18 \$5,000; except that in the case of a recipient who does not
19 reside on-campus at the institution of higher learning at
20 which he or she is enrolled, the amount of the scholarship
21 shall be sufficient to pay tuition and fee expenses and a
22 commuter allowance, up to an annual maximum of \$5,000. All
23 scholarship funds distributed in accordance with this Section
24 shall be paid to the institution on behalf of recipients.

25 (d) The total amount of scholarship assistance awarded by
26 the Commission under this Section to an individual in any

1 given fiscal year, when added to other financial assistance
2 awarded to that individual for that year, shall not exceed the
3 cost of attendance at the institution of higher learning at
4 which the student is enrolled. In any academic year for which a
5 qualified student under this Section accepts financial
6 assistance through any other teacher scholarship program
7 administered by the Commission, a qualified student shall not
8 be eligible for scholarship assistance awarded under this
9 Section.

10 (e) A recipient may receive up to 8 semesters or 12
11 quarters of scholarship assistance under this Section.
12 Scholarship funds are applicable toward 2 semesters or 3
13 quarters of enrollment each academic year.

14 (f) All applications for scholarship assistance to be
15 awarded under this Section shall be made to the Foundation in a
16 form determined by the Foundation. Each year, the Foundation
17 shall notify the Commission of the individuals awarded
18 scholarship assistance under this Section. Each year, at least
19 30% of the Golden Apple Scholars of Illinois Program
20 scholarships shall be awarded to students residing in counties
21 having a population of less than 500,000.

22 (g) (Blank).

23 (h) The Commission shall administer the payment of
24 scholarship assistance provided through the Golden Apple
25 Scholars of Illinois Program and shall make all necessary and
26 proper rules not inconsistent with this Section for the

1 effective implementation of this Section.

2 (i) Prior to receiving scholarship assistance for any
3 academic year, each recipient of a scholarship awarded under
4 this Section shall be required by the Foundation to sign an
5 agreement under which the recipient pledges that, within the
6 2-year period following the termination of the academic
7 program for which the recipient was awarded a scholarship, the
8 recipient: (i) shall begin teaching for a period of not less
9 than 5 years, (ii) shall fulfill this teaching obligation at a
10 nonprofit Illinois public, private, or parochial preschool or
11 an Illinois public elementary or secondary school that
12 qualifies for teacher loan cancellation under Section
13 465(a)(2)(A) of the federal Higher Education Act of 1965 (20
14 U.S.C. 1087ee(a)(2)(A)) or other Illinois schools deemed
15 eligible for fulfilling the teaching commitment as designated
16 by the Foundation, and (iii) shall, upon request of the
17 Foundation, provide the Foundation with evidence that he or
18 she is fulfilling or has fulfilled the terms of the teaching
19 agreement provided for in this subsection. Upon request, the
20 Foundation shall provide evidence of teacher fulfillment to
21 the Commission.

22 (j) If a recipient of a scholarship awarded under this
23 Section fails to fulfill the teaching obligation set forth in
24 subsection (i) of this Section, the Commission shall require
25 the recipient to repay the amount of the scholarships
26 received, prorated according to the fraction of the teaching

1 obligation not completed, plus interest at a rate of 5% and if
2 applicable, reasonable collection fees. Payments received by
3 the Commission under this subsection (j) shall be remitted to
4 the State Comptroller for deposit into the General Revenue
5 Fund, except that that portion of a recipient's repayment that
6 equals the amount in expenses that the Commission has
7 reasonably incurred in attempting collection from that
8 recipient shall be remitted to the State Comptroller for
9 deposit into the Commission's Accounts Receivable Fund.

10 (k) A recipient of a scholarship awarded by the Foundation
11 under this Section shall not be considered to have failed to
12 fulfill the teaching obligations of the agreement entered into
13 pursuant to subsection (i) if the recipient (i) enrolls on a
14 full-time basis as a graduate student in a course of study
15 related to the field of teaching at an institution of higher
16 learning; (ii) is serving as a member of the armed services of
17 the United States; (iii) is a person with a temporary total
18 disability, as established by sworn affidavit of a qualified
19 physician; (iv) is seeking and unable to find full-time
20 employment as a teacher at a school that satisfies the
21 criteria set forth in subsection (i) and is able to provide
22 evidence of that fact; (v) is taking additional courses, on at
23 least a half-time basis, needed to obtain certification as a
24 teacher in Illinois; (vi) is fulfilling teaching requirements
25 associated with other programs administered by the Commission
26 and cannot concurrently fulfill them under this Section in a

1 period of time equal to the length of the teaching obligation;
2 or (vii) is participating in a program established under
3 Executive Order 10924 of the President of the United States or
4 the federal National Community Service Act of 1990 (42 U.S.C.
5 12501 et seq.). Any such extension of the period during which
6 the teaching requirement must be fulfilled shall be subject to
7 limitations of duration as established by the Commission.

8 (l) A recipient who fails to fulfill the teaching
9 obligations of the agreement entered into pursuant to
10 subsection (i) of this Section shall repay the amount of
11 scholarship assistance awarded to them under this Section
12 within 10 years.

13 (m) Annually, at a time determined by the Commission in
14 consultation with the Foundation, the Foundation shall submit
15 a report to assist the Commission in monitoring the
16 Foundation's performance of grant activities. The report shall
17 describe the following:

18 (1) the Foundation's anticipated expenditures for the
19 next fiscal year;

20 (2) the number of qualified students receiving
21 scholarship assistance at each institution of higher
22 learning where a qualified student was enrolled under this
23 Section during the previous fiscal year;

24 (3) the total monetary value of scholarship funds paid
25 to each institution of higher learning at which a
26 qualified student was enrolled during the previous fiscal

1 year;

2 (4) the number of scholarship recipients who completed
3 a baccalaureate degree during the previous fiscal year;

4 (5) the number of scholarship recipients who fulfilled
5 their teaching obligation during the previous fiscal year;

6 (6) the number of scholarship recipients who failed to
7 fulfill their teaching obligation during the previous
8 fiscal year;

9 (7) the number of scholarship recipients granted an
10 extension described in subsection (k) of this Section
11 during the previous fiscal year;

12 (8) the number of scholarship recipients required to
13 repay scholarship assistance in accordance with subsection
14 (j) of this Section during the previous fiscal year;

15 (9) the number of scholarship recipients who
16 successfully repaid scholarship assistance in full during
17 the previous fiscal year;

18 (10) the number of scholarship recipients who
19 defaulted on their obligation to repay scholarship
20 assistance during the previous fiscal year;

21 (11) the amount of scholarship assistance subject to
22 collection in accordance with subsection (j) of this
23 Section at the end of the previous fiscal year;

24 (12) the amount of collected funds to be remitted to
25 the Comptroller in accordance with subsection (j) of this
26 Section at the end of the previous fiscal year; and

1 (13) other information that the Commission may
2 reasonably request.

3 (n) Nothing in this Section shall affect the rights of the
4 Commission to collect moneys owed to it by recipients of
5 scholarship assistance through the Illinois Future Teacher
6 Corps Program, repealed by this amendatory Act of the 98th
7 General Assembly.

8 (o) The Auditor General shall prepare an annual audit of
9 the operations and finances of the Golden Apple Scholars of
10 Illinois Program. This audit shall be provided to the
11 Governor, General Assembly, and the Commission.

12 (p) The suspension of grant making authority found in
13 Section 4.2 of the Illinois Grant Funds Recovery Act shall not
14 apply to grants made pursuant to this Section.

15 (Source: P.A. 98-533, eff. 8-23-13; 98-718, eff. 1-1-15;
16 99-143, eff. 7-27-15.)

17 (110 ILCS 947/62)

18 Sec. 62. Grants for exonerated persons.

19 (a) In this Section:

20 "Exonerated person" means an individual who has received a
21 pardon from the Governor of the State of Illinois stating that
22 such a pardon is issued on the grounds of innocence of the
23 crime for which he or she was imprisoned or an individual who
24 has received a certificate of innocence from a circuit court
25 pursuant to Section 2-702 of the Code of Civil Procedure.

1 "Satisfactory academic progress" means the qualified
2 applicant's maintenance of minimum standards of academic
3 performance, consistent with requirements for maintaining
4 federal financial aid eligibility, as determined by the
5 institution of higher learning.

6 (b) Subject to a separate appropriation for this purpose,
7 the Commission shall, each year, receive and consider
8 applications for grant assistance under this Section.
9 Recipients of grants issued by the Commission in accordance
10 with this Section must be exonerated persons. Provided that
11 the recipient is maintaining satisfactory academic progress,
12 the funds from the grant may be used to pay up to 8 semesters
13 or 12 quarters of full payment of tuition and mandatory fees at
14 any public university or public community college located in
15 this State for either full or part-time study. This benefit
16 may be used for undergraduate or graduate study.

17 In addition, an exonerated person who has not yet received
18 a high school diploma or a State of Illinois High School
19 Diploma ~~high school equivalency certificate~~ and completes a
20 high school equivalency preparation course through an Illinois
21 Community College Board-approved provider may use grant funds
22 to pay costs associated with obtaining a State of Illinois
23 High School Diploma ~~high school equivalency certificate~~,
24 including payment of the cost of the high school equivalency
25 test and up to one retest on each test module, and any
26 additional fees that may be required in order to obtain a State

1 of Illinois High School Diploma ~~an Illinois High School~~
2 ~~Equivalency Certificate~~ or an official transcript of test
3 scores after successful completion of the high school
4 equivalency test.

5 (c) An applicant for a grant under this Section need not
6 demonstrate financial need to qualify for the benefits.

7 (d) The Commission may adopt any rules necessary to
8 implement and administer this Section.

9 (Source: P.A. 99-199, eff. 1-1-16.)

10 Section 40. The Illinois Insurance Code is amended by
11 changing Section 500-50 as follows:

12 (215 ILCS 5/500-50)

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

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

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

24 (b) As used in this Section, the following words have the

1 meanings given in this subsection.

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

4 Examinee. "Examinee" means a person who takes an
5 examination.

6 Part. "Part" means a portion of an examination for which a
7 score is calculated.

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

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

12 Pretest item. "Pretest item" means a prospective test
13 question that is included in a test form in order to assess its
14 performance, but is not considered in determining an
15 examinee's score.

16 Minority group or examinees. "Minority group" or "minority
17 examinees" means examinees who are American Indian or Alaska
18 Native, Asian, Black or African American, Hispanic or Latino,
19 or Native Hawaiian or Other Pacific Islander.

20 Correct-answer rate. "Correct-answer rate" for an item
21 means the number of examinees who provided the correct answer
22 on an item divided by the number of examinees who answered the
23 item.

24 Correlation. "Correlation" means a statistical measure of
25 the relationship between performance on an item and
26 performance on a part of the examination.

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

4 (1) race or ethnicity (American Indian or Alaska
5 Native, Asian, Black or African American, Hispanic or
6 Latino, Native Hawaiian or Other Pacific Islander, or
7 White);

8 (2) education (8th grade or less; less than 12th
9 grade; high school diploma or State of Illinois High
10 School Diploma ~~high school equivalency certificate~~; some
11 college, but no 4-year degree; or 4-year degree or more);
12 and

13 (3) gender (male or female).

14 The Director must advise all examinees that they are not
15 required to provide this information, that they will not be
16 penalized for not doing so, and that the Director will use the
17 information provided exclusively for research and statistical
18 purposes and to improve the quality and fairness of the
19 examinations.

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

26 (1) For all examinees combined and separately by race

1 or ethnicity, by educational level, by gender, by
2 educational level within race or ethnicity, by education
3 level within gender, and by race or ethnicity within
4 gender:

5 (A) number of examinees;

6 (B) percentage and number of examinees who passed
7 each part;

8 (C) percentage and number of examinees who passed
9 all parts;

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

11 (E) standard deviation of scaled scores on each
12 part.

13 (2) For male examinees, female examinees, Black or
14 African American examinees, white examinees, American
15 Indian or Alaska Native examinees, Asian examinees,
16 Hispanic or Latino examinees, and Native Hawaiian or Other
17 Pacific Islander, respectively, with a high school diploma
18 or State of Illinois High School Diploma ~~high school~~
19 ~~equivalency certificate~~, the distribution of scaled scores
20 on each part.

21 No later than May 1 of each year, the Director must prepare
22 and make available on request an Item Report of summary
23 statistical information relating to each operational item on
24 each test form administered during the preceding calendar
25 year. The Item Report shall show, for each operational item,
26 for all examinees combined and separately for Black or African

1 American examinees, white examinees, American Indian or Alaska
2 Native examinees, Asian examinees, Hispanic or Latino
3 examinees, and Native Hawaiian or Other Pacific Islander, the
4 correct-answer rates and correlations.

5 The Director is not required to report separate
6 statistical information for any group or subgroup comprising
7 fewer than 50 examinees.

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

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

1 than the standard error of measurement from the scaled cutoff
2 score employed during the preceding year.

3 (g) No later than May 1, 2003 and no later than May 1 of
4 every fourth year thereafter, the Director must release to the
5 public and make generally available one representative test
6 form and set of answer keys for each part of each examination.

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

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

22 (j) For the purposes of this Section:

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

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

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

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

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

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

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

18 Section 45. The Nurse Practice Act is amended by changing
19 Section 80-40 as follows:

20 (225 ILCS 65/80-40)

21 (Section scheduled to be repealed on January 1, 2028)

22 Sec. 80-40. Licensure by examination. An applicant for
23 licensure by examination to practice as a licensed medication
24 aide must:

1 (1) submit a completed written application on forms
2 provided by the Department and fees as established by the
3 Department;

4 (2) be age 18 or older;

5 (3) have a high school diploma or a State of Illinois
6 High School Diploma ~~high school equivalency certificate~~;

7 (4) demonstrate the ability to speak, read, and write
8 the English language, as determined by rule;

9 (5) demonstrate competency in math, as determined by
10 rule;

11 (6) be currently certified in good standing as a
12 certified nursing assistant and provide proof of 2,000
13 hours of practice as a certified nursing assistant within
14 3 years before application for licensure;

15 (7) submit to the criminal history records check
16 required under Section 50-35 of this Act;

17 (8) have not engaged in conduct or behavior determined
18 to be grounds for discipline under this Act;

19 (9) be currently certified to perform cardiopulmonary
20 resuscitation by the American Heart Association or
21 American Red Cross;

22 (10) have successfully completed a course of study
23 approved by the Department as defined by rule; to be
24 approved, the program must include a minimum of 60 hours
25 of classroom-based medication aide education, a minimum of
26 10 hours of simulation laboratory study, and a minimum of

1 30 hours of registered nurse-supervised clinical practicum
2 with progressive responsibility of patient medication
3 assistance;

4 (11) have successfully completed the Medication Aide
5 Certification Examination or other examination authorized
6 by the Department; and

7 (12) submit proof of employment by a qualifying
8 facility.

9 (Source: P.A. 98-990, eff. 8-18-14; 99-78, eff. 7-20-15.)

10 Section 50. The Pharmacy Practice Act is amended by
11 changing Section 9 as follows:

12 (225 ILCS 85/9) (from Ch. 111, par. 4129)

13 (Section scheduled to be repealed on January 1, 2023)

14 Sec. 9. Licensure as registered pharmacy technician.

15 (a) Any person shall be entitled to licensure as a
16 registered pharmacy technician who is of the age of 16 or over,
17 has not engaged in conduct or behavior determined to be
18 grounds for discipline under this Act, is attending or has
19 graduated from an accredited high school or comparable school
20 or educational institution or received a State of Illinois
21 High School Diploma ~~high school equivalency certificate~~, and
22 has filed a written or electronic application for licensure on
23 a form to be prescribed and furnished by the Department for
24 that purpose. The Department shall issue a license as a

1 registered pharmacy technician to any applicant who has
2 qualified as aforesaid, and such license shall be the sole
3 authority required to assist licensed pharmacists in the
4 practice of pharmacy, under the supervision of a licensed
5 pharmacist. A registered pharmacy technician may be delegated
6 to perform any task within the practice of pharmacy if
7 specifically trained for that task, except for patient
8 counseling, drug regimen review, or clinical conflict
9 resolution.

10 (b) Beginning on January 1, 2017, within 2 years after
11 initial licensure as a registered pharmacy technician, the
12 licensee must meet the requirements described in Section 9.5
13 of this Act and become licensed as a registered certified
14 pharmacy technician. If the licensee has not yet attained the
15 age of 18, then upon the next renewal as a registered pharmacy
16 technician, the licensee must meet the requirements described
17 in Section 9.5 of this Act and become licensed as a registered
18 certified pharmacy technician. This requirement does not apply
19 to pharmacy technicians registered prior to January 1, 2008.

20 (c) Any person registered as a pharmacy technician who is
21 also enrolled in a first professional degree program in
22 pharmacy in a school or college of pharmacy or a department of
23 pharmacy of a university approved by the Department or has
24 graduated from such a program within the last 18 months, shall
25 be considered a "student pharmacist" and entitled to use the
26 title "student pharmacist". A student pharmacist must meet all

1 of the requirements for licensure as a registered pharmacy
2 technician set forth in this Section excluding the requirement
3 of certification prior to the second license renewal and pay
4 the required registered pharmacy technician license fees. A
5 student pharmacist may, under the supervision of a pharmacist,
6 assist in the practice of pharmacy and perform any and all
7 functions delegated to him or her by the pharmacist.

8 (d) Any person seeking licensure as a pharmacist who has
9 graduated from a pharmacy program outside the United States
10 must register as a pharmacy technician and shall be considered
11 a "student pharmacist" and be entitled to use the title
12 "student pharmacist" while completing the 1,200 clinical hours
13 of training approved by the Board of Pharmacy described and
14 for no more than 18 months after completion of these hours.
15 These individuals are not required to become registered
16 certified pharmacy technicians while completing their Board
17 approved clinical training, but must become licensed as a
18 pharmacist or become licensed as a registered certified
19 pharmacy technician before the second pharmacy technician
20 license renewal following completion of the Board approved
21 clinical training.

22 (e) The Department shall not renew the registered pharmacy
23 technician license of any person who has been licensed as a
24 registered pharmacy technician with the designation "student
25 pharmacist" who: (1) has dropped out of or been expelled from
26 an ACPE accredited college of pharmacy; (2) has failed to

1 complete his or her 1,200 hours of Board approved clinical
2 training within 24 months; or (3) has failed the pharmacist
3 licensure examination 3 times. The Department shall require
4 these individuals to meet the requirements of and become
5 licensed as a registered certified pharmacy technician.

6 (f) The Department may take any action set forth in
7 Section 30 of this Act with regard to a license pursuant to
8 this Section.

9 (g) Any person who is enrolled in a non-traditional
10 Pharm.D. program at an ACPE accredited college of pharmacy and
11 is licensed as a registered pharmacist under the laws of
12 another United States jurisdiction shall be permitted to
13 engage in the program of practice experience required in the
14 academic program by virtue of such license. Such person shall
15 be exempt from the requirement of licensure as a registered
16 pharmacy technician or registered certified pharmacy
17 technician while engaged in the program of practice experience
18 required in the academic program.

19 An applicant for licensure as a registered pharmacy
20 technician may assist a pharmacist in the practice of pharmacy
21 for a period of up to 60 days prior to the issuance of a
22 license if the applicant has submitted the required fee and an
23 application for licensure to the Department. The applicant
24 shall keep a copy of the submitted application on the premises
25 where the applicant is assisting in the practice of pharmacy.
26 The Department shall forward confirmation of receipt of the

1 application with start and expiration dates of practice
2 pending licensure.

3 (Source: P.A. 100-497, eff. 9-8-17; 101-621, eff. 1-1-20.)

4 Section 55. The Structural Pest Control Act is amended by
5 changing Section 5 as follows:

6 (225 ILCS 235/5) (from Ch. 111 1/2, par. 2205)

7 (Section scheduled to be repealed on December 31, 2029)

8 Sec. 5. Certification requirements. No individual shall
9 apply any general use or restricted pesticide while engaged in
10 commercial structural pest control in this State unless the
11 individual is engaged in or has completed the training
12 requirements prescribed by the Department and is certified, or
13 supervised by someone who is certified, by the Department in
14 accordance with this Section.

15 No individual shall apply any restricted pesticide while
16 engaged in non-commercial structural pest control in this
17 State unless the individual is engaged in or has completed the
18 training requirements prescribed by the Department and is
19 certified or supervised by someone who is certified in
20 accordance with this Section. In addition, any individual at
21 any non-commercial structural pest control location using
22 general use pesticides shall comply with the labeling
23 requirements of the pesticides used at that location.

24 Each commercial structural pest control location shall be

1 required to employ at least one certified technician at each
2 location. In addition, each non-commercial structural pest
3 control location utilizing restricted pesticides shall be
4 required to employ at least one certified technician at each
5 location. Individuals who are not certified technicians may
6 work under the supervision of a certified technician employed
7 at the commercial or non-commercial location who shall be
8 responsible for their pest control activities. Any technician
9 providing supervision for the use of restricted pesticides
10 must be certified in the sub-category for which he is
11 providing supervision.

12 A. Any individual engaging in commercial structural pest
13 control and utilizing general use pesticides must:

14 1. be at least 18 years of age;

15 2. hold a high school diploma or State of Illinois
16 High School Diploma ~~high school equivalency certificate;~~

17 and

18 3. have filed an original application, paid the fee
19 required for examination, and have passed the General
20 Standards examination.

21 B. Any individual engaging in commercial or non-commercial
22 structural pest control and supervising the use of restricted
23 pesticides in any one of the sub-categories in Section 7 of
24 this Act must:

25 1. be at least 18 years of age;

26 2. hold a high school diploma or a State of Illinois

1 High School Diploma ~~high school equivalency certificate;~~

2 and

3 3. have:

4 a. six months of practical experience in
5 structural pest control; or

6 b. successfully completed a minimum of 16 semester
7 hours, or their equivalent, in entomology or related
8 fields from a recognized college or university; or

9 c. successfully completed a pest control course,
10 approved by the Department, from a recognized
11 educational institution or other entity.

12 Each applicant shall have filed an original application
13 and paid the fee required for examination. Every applicant who
14 successfully passes the General Standards examination and at
15 least one sub-category examination shall be certified in each
16 sub-category which he has successfully passed.

17 A certified technician who wishes to be certified in
18 sub-categories for which he has not been previously certified
19 may apply for any sub-category examination provided he meets
20 the requirements set forth in this Section, files an original
21 application, and pays the fee for examination.

22 An applicant who fails to pass the General Standards
23 examination or any sub-category examination may reapply for
24 that examination, provided that he files an application and
25 pays the fee required for an original examination.
26 Re-examination applications shall be on forms prescribed by

1 the Department.

2 (Source: P.A. 100-716, eff. 8-3-18.)

3 Section 60. The Community Association Manager Licensing
4 and Disciplinary Act is amended by changing Section 40 as
5 follows:

6 (225 ILCS 427/40)

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

8 Sec. 40. Qualifications for licensure as a community
9 association manager.

10 (a) No person shall be qualified for licensure as a
11 community association manager under this Act unless the person
12 has applied in writing on the prescribed forms and has paid the
13 required, nonrefundable fees and has met all of the following
14 qualifications:

15 (1) Is at least 18 years of age.

16 (1.5) Successfully completed a 4-year course of study
17 in a high school, secondary school, or an equivalent
18 course of study approved by the state in which the school
19 is located, or possess a State of Illinois High School
20 Diploma ~~high school equivalency certificate~~, which shall
21 be verified under oath by the applicant.

22 (2) Provided satisfactory evidence of having completed
23 at least 20 classroom hours in community association
24 management courses approved by the Board.

1 (3) Passed an examination authorized by the
2 Department.

3 (4) Has not committed an act or acts, in this or any
4 other jurisdiction, that would be a violation of this Act.

5 (5) Is of good moral character. In determining moral
6 character under this Section, the Department may take into
7 consideration whether the applicant has engaged in conduct
8 or activities that would constitute grounds for discipline
9 under this Act. Good moral character is a continuing
10 requirement of licensure. Conviction of crimes may be used
11 in determining moral character, but shall not constitute
12 an absolute bar to licensure.

13 (6) Has not been declared by any court of competent
14 jurisdiction to be incompetent by reason of mental or
15 physical defect or disease, unless subsequently declared
16 by a court to be competent.

17 (7) Complies with any additional qualifications for
18 licensure as determined by rule of the Department.

19 (b) (Blank).

20 (c) (Blank).

21 (d) Applicants have 3 years from the date of application
22 to complete the application process. If the process has not
23 been completed within the 3 years, the application shall be
24 denied, the fee shall be forfeited, and the applicant must
25 reapply and meet the requirements in effect at the time of
26 re-application.

1 (e) The Department shall not require applicants to report
2 the following information and shall not consider the following
3 criminal history records in connection with an application for
4 licensure:

5 (1) juvenile adjudications of delinquent minors as
6 defined in Section 5-105 of the Juvenile Court Act of 1987
7 subject to the restrictions set forth in Section 5-130 of
8 that Act;

9 (2) law enforcement records, court records, and
10 conviction records of an individual who was 17 years old
11 at the time of the offense and before January 1, 2014,
12 unless the nature of the offense required the individual
13 to be tried as an adult;

14 (3) records of arrest not followed by a charge or
15 conviction;

16 (4) records of arrest in which the charges were
17 dismissed unless related to the practice of the
18 profession; however, applicants shall not be asked to
19 report any arrests, and an arrest not followed by a
20 conviction shall not be the basis of a denial and may be
21 used only to assess an applicant's rehabilitation;

22 (5) convictions overturned by a higher court; or

23 (6) convictions or arrests that have been sealed or
24 expunged.

25 (f) An applicant or licensee shall report to the
26 Department, in a manner prescribed by the Department, and

1 within 30 days after the occurrence if during the term of
2 licensure: (i) any conviction of or plea of guilty or nolo
3 contendere to forgery, embezzlement, obtaining money under
4 false pretenses, larceny, extortion, conspiracy to defraud, or
5 any similar offense or offenses or any conviction of a felony
6 involving moral turpitude; (ii) the entry of an administrative
7 sanction by a government agency in this State or any other
8 jurisdiction that has as an essential element dishonesty or
9 fraud or involves larceny, embezzlement, or obtaining money,
10 property, or credit by false pretenses; or (iii) any
11 conviction of or plea of guilty or nolo contendere to a crime
12 that subjects the licensee to compliance with the requirements
13 of the Sex Offender Registration Act.

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

15 Section 65. The Home Inspector License Act is amended by
16 changing Section 5-10 as follows:

17 (225 ILCS 441/5-10)

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

19 Sec. 5-10. Application for home inspector license.

20 (a) Every natural person who desires to obtain a home
21 inspector license shall:

22 (1) apply to the Department in a manner prescribed by
23 the Department and accompanied by the required fee; all
24 applications shall contain the information that, in the

1 judgment of the Department, enables the Department to pass
2 on the qualifications of the applicant for a license to
3 practice as a home inspector as set by rule;

4 (2) be at least 18 years of age;

5 (3) successfully complete a 4-year course of study in
6 a high school or secondary school or an equivalent course
7 of study approved by the state in which the school is
8 located, or possess a State of Illinois High School
9 Diploma ~~high school equivalency certificate~~, which shall
10 be verified under oath by the applicant;

11 (4) personally take and pass a written examination and
12 a field examination authorized by the Department; and

13 (5) prior to taking the examination, provide evidence
14 to the Department that the applicant has successfully
15 completed the prerequisite classroom hours of instruction
16 in home inspection, as established by rule.

17 (b) The Department shall not require applicants to report
18 the following information and shall not consider the following
19 criminal history records in connection with an application for
20 licensure or registration:

21 (1) juvenile adjudications of delinquent minors as
22 defined in Section 5-105 of the Juvenile Court Act of 1987
23 subject to the restrictions set forth in Section 5-130 of
24 that Act;

25 (2) law enforcement records, court records, and
26 conviction records of an individual who was 17 years old

1 at the time of the offense and before January 1, 2014,
2 unless the nature of the offense required the individual
3 to be tried as an adult;

4 (3) records of arrest not followed by a charge or
5 conviction;

6 (4) records of arrest where the charges were dismissed
7 unless related to the practice of the profession; however,
8 applicants shall not be asked to report any arrests, and
9 an arrest not followed by a conviction shall not be the
10 basis of denial and may be used only to assess an
11 applicant's rehabilitation;

12 (5) convictions overturned by a higher court; or

13 (6) convictions or arrests that have been sealed or
14 expunged.

15 (c) An applicant or licensee shall report to the
16 Department, in a manner prescribed by the Department, upon
17 application and within 30 days after the occurrence, if during
18 the term of licensure, (i) any conviction of or plea of guilty
19 or nolo contendere to forgery, embezzlement, obtaining money
20 under false pretenses, larceny, extortion, conspiracy to
21 defraud, or any similar offense or offenses or any conviction
22 of a felony involving moral turpitude, (ii) the entry of an
23 administrative sanction by a government agency in this State
24 or any other jurisdiction that has as an essential element
25 dishonesty or fraud or involves larceny, embezzlement, or
26 obtaining money, property, or credit by false pretenses, or

1 (iii) a crime that subjects the licensee to compliance with
2 the requirements of the Sex Offender Registration Act.

3 (d) Applicants have 3 years after the date of the
4 application to complete the application process. If the
5 process has not been completed within 3 years, the application
6 shall be denied, the fee forfeited, and the applicant must
7 reapply and meet the requirements in effect at the time of
8 reapplication.

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

10 Section 70. The Real Estate License Act of 2000 is amended
11 by changing Sections 5-10, 5-27, and 5-28 as follows:

12 (225 ILCS 454/5-10)

13 (Section scheduled to be repealed on January 1, 2030)

14 Sec. 5-10. Requirements for license as a residential
15 leasing agent; continuing education.

16 (a) Every applicant for licensure as a residential leasing
17 agent must meet the following qualifications:

18 (1) be at least 18 years of age;

19 (2) be of good moral character;

20 (3) successfully complete a 4-year course of study in
21 a high school or secondary school or an equivalent course
22 of study approved by the state in which the school is
23 located, or possess a State of Illinois High School
24 Diploma ~~high school equivalency certificate~~, which shall

1 be verified under oath by the applicant;

2 (4) personally take and pass a written examination
3 authorized by the Department sufficient to demonstrate the
4 applicant's knowledge of the provisions of this Act
5 relating to residential leasing agents and the applicant's
6 competence to engage in the activities of a licensed
7 residential leasing agent;

8 (5) provide satisfactory evidence of having completed
9 15 hours of instruction in an approved course of study
10 relating to the leasing of residential real property. The
11 Board may recommend to the Department the number of hours
12 each topic of study shall require. The course of study
13 shall, among other topics, cover the provisions of this
14 Act applicable to residential leasing agents; fair housing
15 and human rights issues relating to residential leasing;
16 advertising and marketing issues; leases, applications,
17 and credit and criminal background reports; owner-tenant
18 relationships and owner-tenant laws; the handling of
19 funds; and environmental issues relating to residential
20 real property;

21 (6) complete any other requirements as set forth by
22 rule; and

23 (7) present a valid application for issuance of an
24 initial license accompanied by fees specified by rule.

25 (b) No applicant shall engage in any of the activities
26 covered by this Act without a valid license and until a valid

1 sponsorship has been registered with the Department.

2 (c) Successfully completed course work, completed pursuant
3 to the requirements of this Section, may be applied to the
4 course work requirements to obtain a managing broker's or
5 broker's license as provided by rule. The Board may recommend
6 to the Department and the Department may adopt requirements
7 for approved courses, course content, and the approval of
8 courses, instructors, and education providers, as well as
9 education provider and instructor fees. The Department may
10 establish continuing education requirements for residential
11 licensed leasing agents, by rule, consistent with the language
12 and intent of this Act, with the advice of the Board.

13 (d) The continuing education requirement for residential
14 leasing agents shall consist of a single core curriculum to be
15 prescribed by the Department as recommended by the Board.
16 Leasing agents shall be required to complete no less than 8
17 hours of continuing education in the core curriculum for each
18 2-year renewal period. The curriculum shall, at a minimum,
19 consist of a single course or courses on the subjects of fair
20 housing and human rights issues related to residential
21 leasing, advertising and marketing issues, leases,
22 applications, credit reports, and criminal history, the
23 handling of funds, owner-tenant relationships and owner-tenant
24 laws, and environmental issues relating to residential real
25 estate.

26 (Source: P.A. 100-188, eff. 1-1-18; 101-357, eff. 8-9-19.)

1 (225 ILCS 454/5-27)

2 (Section scheduled to be repealed on January 1, 2030)

3 Sec. 5-27. Requirements for licensure as a broker.

4 (a) Every applicant for licensure as a broker must meet
5 the following qualifications:

6 (1) Be at least 18 years of age;

7 (2) Be of good moral character;

8 (3) Successfully complete a 4-year course of study in
9 a high school or secondary school approved by the state in
10 which the school is located, or possess a State of
11 Illinois High School Diploma ~~high school equivalency~~
12 ~~certificate~~, which shall be verified under oath by the
13 applicant;

14 (4) (Blank);

15 (5) Provide satisfactory evidence of having completed
16 75 hours of instruction in real estate courses approved by
17 the Department, 15 hours of which must consist of
18 situational and case studies presented in the classroom or
19 by live, interactive webinar or online distance education
20 courses;

21 (6) Personally take and pass a written examination
22 authorized by the Department;

23 (7) Present a valid application for issuance of a
24 license accompanied by the fees specified by rule.

25 (b) The requirements specified in items (3) and (5) of

1 subsection (a) of this Section do not apply to applicants who
2 are currently admitted to practice law by the Supreme Court of
3 Illinois and are currently in active standing.

4 (c) No applicant shall engage in any of the activities
5 covered by this Act until a valid sponsorship has been
6 registered with the Department.

7 (d) All licenses should be readily available to the public
8 at the licensee's place of business.

9 (e) An individual holding an active license as a managing
10 broker may, upon written request to the Department,
11 permanently and irrevocably place his or her managing broker
12 license on inactive status and shall be issued a broker's
13 license in exchange. Any individual obtaining a broker's
14 license under this subsection (e) shall be considered as
15 having obtained a broker's license by education and passing
16 the required test and shall be treated as such in determining
17 compliance with this Act.

18 (Source: P.A. 100-188, eff. 1-1-18; 101-357, eff. 8-9-19.)

19 (225 ILCS 454/5-28)

20 (Section scheduled to be repealed on January 1, 2030)

21 Sec. 5-28. Requirements for licensure as a managing
22 broker.

23 (a) Every applicant for licensure as a managing broker
24 must meet the following qualifications:

25 (1) be at least 20 years of age;

- 1 (2) be of good moral character;
- 2 (3) have been licensed at least 2 consecutive years
3 out of the preceding 3 years as a broker;
- 4 (4) successfully complete a 4-year course of study in
5 high school or secondary school approved by the state in
6 which the school is located, or a State of Illinois High
7 School Diploma ~~high school equivalency certificate~~, which
8 shall be verified under oath by the applicant;
- 9 (5) provide satisfactory evidence of having completed
10 at least 165 hours, 120 of which shall be those hours
11 required pre-licensure and post-licensure to obtain a
12 broker's license, and 45 additional hours completed within
13 the year immediately preceding the filing of an
14 application for a managing broker's license, which hours
15 shall focus on brokerage administration and management and
16 residential leasing agent management and include at least
17 15 hours in the classroom or by live, interactive webinar
18 or online distance education courses;
- 19 (6) personally take and pass a written examination
20 authorized by the Department; and
- 21 (7) submit a valid application for issuance of a
22 license accompanied by the fees specified by rule.
- 23 (b) The requirements specified in item (5) of subsection
24 (a) of this Section do not apply to applicants who are
25 currently admitted to practice law by the Supreme Court of
26 Illinois and are currently in active standing.

1 (Source: P.A. 100-188, eff. 1-1-18; 101-357, eff. 8-9-19.)

2 Section 75. The Illinois Public Aid Code is amended by
3 changing Sections 4-1.9 and 9A-8 as follows:

4 (305 ILCS 5/4-1.9) (from Ch. 23, par. 4-1.9)

5 Sec. 4-1.9. Participation in Educational and Vocational
6 Training Programs.

7 (a) A parent or parents and a child age 16 or over not in
8 regular attendance in school, as defined in Section 4-1.1 as
9 that Section existed on August 26, 1969 (the effective date of
10 Public Act 76-1047), for whom education and training is
11 suitable, must participate in the educational and vocational
12 training programs provided pursuant to Article IXA.

13 (b) A parent who is less than 20 years of age and who has
14 not received a high school diploma or State of Illinois High
15 School Diploma ~~high school equivalency certificate~~ is required
16 to be enrolled in school or in an educational program that is
17 expected to result in the receipt of a high school diploma or
18 State of Illinois High School Diploma ~~high school equivalency~~
19 ~~certificate~~, except 18 and 19 year old parents may be assigned
20 to work activities or training if it is determined based on an
21 individualized assessment that secondary school is
22 inappropriate.

23 (Source: P.A. 89-6, eff. 3-6-95; 90-17, eff. 7-1-97.)

1 (305 ILCS 5/9A-8) (from Ch. 23, par. 9A-8)

2 Sec. 9A-8. Operation of program.

3 (a) At the time of application or redetermination of
4 eligibility under Article IV, as determined by rule, the
5 Illinois Department shall provide information in writing and
6 orally regarding the education, training and employment
7 program to all applicants and recipients. The information
8 required shall be established by rule and shall include, but
9 need not be limited to:

10 (1) education (including literacy training),
11 employment and training opportunities available, the
12 criteria for approval of those opportunities, and the
13 right to request changes in the personal responsibility
14 and services plan to include those opportunities;

15 (1.1) a complete list of all activities that are
16 approvable activities, and the circumstances under which
17 they are approvable, including work activities, substance
18 use disorder or mental health treatment, activities to
19 escape and prevent domestic violence, caring for a
20 medically impaired family member, and any other approvable
21 activities, together with the right to and procedures for
22 amending the responsibility and services plan to include
23 these activities;

24 (1.2) the rules concerning the lifetime limit on
25 eligibility, including the current status of the applicant
26 or recipient in terms of the months of remaining

1 eligibility, the criteria under which a month will not
2 count towards the lifetime limit, and the criteria under
3 which a recipient may receive benefits beyond the end of
4 the lifetime limit;

5 (2) supportive services including child care and the
6 rules regarding eligibility for and access to the child
7 care assistance program, transportation, initial expenses
8 of employment, job retention, books and fees, and any
9 other supportive services;

10 (3) the obligation of the Department to provide
11 supportive services;

12 (4) the rights and responsibilities of participants,
13 including exemption, sanction, reconciliation, and good
14 cause criteria and procedures, termination for
15 non-cooperation and reinstatement rules and procedures,
16 and appeal and grievance procedures; and

17 (5) the types and locations of child care services.

18 (b) The Illinois Department shall notify the recipient in
19 writing of the opportunity to volunteer to participate in the
20 program.

21 (c) (Blank).

22 (d) As part of the personal plan for achieving employment
23 and self-sufficiency, the Department shall conduct an
24 individualized assessment of the participant's employability.
25 No participant may be assigned to any component of the
26 education, training and employment activity prior to such

1 assessment. The plan shall include collection of information
2 on the individual's background, proficiencies, skills
3 deficiencies, education level, work history, employment goals,
4 interests, aptitudes, and employment preferences, as well as
5 factors affecting employability or ability to meet
6 participation requirements (e.g., health, physical or mental
7 limitations, child care, family circumstances, domestic
8 violence, sexual violence, substance use disorders, and
9 special needs of any child of the individual). As part of the
10 plan, individuals and Department staff shall work together to
11 identify any supportive service needs required to enable the
12 client to participate and meet the objectives of his or her
13 employability plan. The assessment may be conducted through
14 various methods such as interviews, testing, counseling, and
15 self-assessment instruments. In the assessment process, the
16 Department shall offer to include standard literacy testing
17 and a determination of English language proficiency and shall
18 provide it for those who accept the offer. Based on the
19 assessment, the individual will be assigned to the appropriate
20 activity. The decision will be based on a determination of the
21 individual's level of preparation for employment as defined by
22 rule.

23 (e) Recipients determined to be exempt may volunteer to
24 participate pursuant to Section 9A-4 and must be assessed.

25 (f) As part of the personal plan for achieving employment
26 and self-sufficiency under Section 4-1, an employability plan

1 for recipients shall be developed in consultation with the
2 participant. The Department shall have final responsibility
3 for approving the employability plan. The employability plan
4 shall:

5 (1) contain an employment goal of the participant;

6 (2) describe the services to be provided by the
7 Department, including child care and other support
8 services;

9 (3) describe the activities, such as component
10 assignment, that will be undertaken by the participant to
11 achieve the employment goal. The Department shall treat
12 participation in high school and high school equivalency
13 programs as a core activity and count participation in
14 high school and high school equivalency programs toward
15 the first 20 hours per week of participation. The
16 Department shall approve participation in high school or
17 high school equivalency programs upon written or oral
18 request of the participant if he or she has not already
19 earned a high school diploma or a State of Illinois High
20 School Diploma ~~high school equivalency certificate.~~

21 However, participation in high school or high school
22 equivalency programs may be delayed as part of an
23 applicant's or recipient's personal plan for achieving
24 employment and self-sufficiency if it is determined that
25 the benefit from participating in another activity, such
26 as, but not limited to, treatment for a substance use

1 disorder or an English proficiency program, would be
2 greater to the applicant or recipient than participation
3 in high school or a high school equivalency program. The
4 availability of high school and high school equivalency
5 programs may also delay enrollment in those programs. The
6 Department shall treat such activities as a core activity
7 as long as satisfactory progress is made, as determined by
8 the high school or high school equivalency program. Proof
9 of satisfactory progress shall be provided by the
10 participant or the school at the end of each academic
11 term; and

12 (4) describe any other needs of the family that might
13 be met by the Department.

14 (g) The employability plan shall take into account:

- 15 (1) available program resources;
- 16 (2) the participant's support service needs;
- 17 (3) the participant's skills level and aptitudes;
- 18 (4) local employment opportunities; and
- 19 (5) the preferences of the participant.

20 (h) A reassessment shall be conducted to assess a
21 participant's progress and to review the employability plan on
22 the following occasions:

- 23 (1) upon completion of an activity and before
24 assignment to an activity;
- 25 (2) upon the request of the participant;
- 26 (3) if the individual is not cooperating with the

1 requirements of the program; and

2 (4) if the individual has failed to make satisfactory
3 progress in an education or training program.

4 Based on the reassessment, the Department may revise the
5 employability plan of the participant.

6 (Source: P.A. 99-746, eff. 1-1-17; 100-759, eff. 1-1-19.)

7 Section 80. The Firearm Concealed Carry Act is amended by
8 changing Section 80 as follows:

9 (430 ILCS 66/80)

10 Sec. 80. Certified firearms instructors.

11 (a) Within 60 days of the effective date of this Act, the
12 Illinois State Police shall begin approval of certified
13 firearms instructors and enter certified firearms instructors
14 into an online registry on the Illinois State Police's
15 website.

16 (b) A person who is not a certified firearms instructor
17 shall not teach applicant training courses or advertise or
18 otherwise represent courses they teach as qualifying their
19 students to meet the requirements to receive a license under
20 this Act. Each violation of this subsection is a business
21 offense with a fine of at least \$1,000 per violation.

22 (c) A person seeking to become a certified firearms
23 instructor shall:

24 (1) be at least 21 years of age;

1 (2) be a legal resident of the United States; and

2 (3) meet the requirements of Section 25 of this Act,
3 except for the Illinois residency requirement in item
4 (xiv) of paragraph (2) of subsection (a) of Section 4 of
5 the Firearm Owners Identification Card Act; and any
6 additional uniformly applied requirements established by
7 the Illinois State Police.

8 (d) A person seeking to become a certified firearms
9 instructor, in addition to the requirements of subsection (c)
10 of this Section, shall:

11 (1) possess a high school diploma or State of Illinois
12 High School Diploma ~~high school equivalency certificate~~;
13 and

14 (2) have at least one of the following valid firearms
15 instructor certifications:

16 (A) certification from a law enforcement agency;

17 (B) certification from a firearm instructor course
18 offered by a State or federal governmental agency;

19 (C) certification from a firearm instructor
20 qualification course offered by the Illinois Law
21 Enforcement Training Standards Board; or

22 (D) certification from an entity approved by the
23 Illinois State Police that offers firearm instructor
24 education and training in the use and safety of
25 firearms.

26 (e) A person may have his or her firearms instructor

1 certification denied or revoked if he or she does not meet the
2 requirements to obtain a license under this Act, provides
3 false or misleading information to the Illinois State Police,
4 or has had a prior instructor certification revoked or denied
5 by the Illinois State Police.

6 (Source: P.A. 102-538, eff. 8-20-21.)

7 Section 85. The Illinois Vehicle Code is amended by
8 changing Sections 6-107 and 6-408.5 as follows:

9 (625 ILCS 5/6-107) (from Ch. 95 1/2, par. 6-107)

10 Sec. 6-107. Graduated license.

11 (a) The purpose of the Graduated Licensing Program is to
12 develop safe and mature driving habits in young, inexperienced
13 drivers and reduce or prevent motor vehicle accidents,
14 fatalities, and injuries by:

15 (1) providing for an increase in the time of practice
16 period before granting permission to obtain a driver's
17 license;

18 (2) strengthening driver licensing and testing
19 standards for persons under the age of 21 years;

20 (3) sanctioning driving privileges of drivers under
21 age 21 who have committed serious traffic violations or
22 other specified offenses; and

23 (4) setting stricter standards to promote the public's
24 health and safety.

1 (b) The application of any person under the age of 18
2 years, and not legally emancipated, for a drivers license or
3 permit to operate a motor vehicle issued under the laws of this
4 State, shall be accompanied by the written consent of either
5 parent of the applicant; otherwise by the guardian having
6 custody of the applicant, or in the event there is no parent or
7 guardian, then by another responsible adult. The written
8 consent must accompany any application for a driver's license
9 under this subsection (b), regardless of whether or not the
10 required written consent also accompanied the person's
11 previous application for an instruction permit.

12 No graduated driver's license shall be issued to any
13 applicant under 18 years of age, unless the applicant is at
14 least 16 years of age and has:

15 (1) Held a valid instruction permit for a minimum of 9
16 months.

17 (2) Passed an approved driver education course and
18 submits proof of having passed the course as may be
19 required.

20 (3) Certification by the parent, legal guardian, or
21 responsible adult that the applicant has had a minimum of
22 50 hours of behind-the-wheel practice time, at least 10
23 hours of which have been at night, and is sufficiently
24 prepared and able to safely operate a motor vehicle.

25 (b-1) No graduated driver's license shall be issued to any
26 applicant who is under 18 years of age and not legally

1 emancipated, unless the applicant has graduated from a
2 secondary school of this State or any other state, is enrolled
3 in a course leading to a State of Illinois High School Diploma
4 ~~high school equivalency certificate~~, has obtained a State of
5 Illinois High School Diploma ~~high school equivalency~~
6 ~~certificate~~, is enrolled in an elementary or secondary school
7 or college or university of this State or any other state and
8 is not a chronic or habitual truant as provided in Section
9 26-2a of the School Code, or is receiving home instruction and
10 submits proof of meeting any of those requirements at the time
11 of application.

12 An applicant under 18 years of age who provides proof
13 acceptable to the Secretary that the applicant has resumed
14 regular school attendance or home instruction or that his or
15 her application was denied in error shall be eligible to
16 receive a graduated license if other requirements are met. The
17 Secretary shall adopt rules for implementing this subsection
18 (b-1).

19 (c) No graduated driver's license or permit shall be
20 issued to any applicant under 18 years of age who has committed
21 the offense of operating a motor vehicle without a valid
22 license or permit in violation of Section 6-101 of this Code or
23 a similar out of state offense and no graduated driver's
24 license or permit shall be issued to any applicant under 18
25 years of age who has committed an offense that would otherwise
26 result in a mandatory revocation of a license or permit as

1 provided in Section 6-205 of this Code or who has been either
2 convicted of or adjudicated a delinquent based upon a
3 violation of the Cannabis Control Act, the Illinois Controlled
4 Substances Act, the Use of Intoxicating Compounds Act, or the
5 Methamphetamine Control and Community Protection Act while
6 that individual was in actual physical control of a motor
7 vehicle. For purposes of this Section, any person placed on
8 probation under Section 10 of the Cannabis Control Act,
9 Section 410 of the Illinois Controlled Substances Act, or
10 Section 70 of the Methamphetamine Control and Community
11 Protection Act shall not be considered convicted. Any person
12 found guilty of this offense, while in actual physical control
13 of a motor vehicle, shall have an entry made in the court
14 record by the judge that this offense did occur while the
15 person was in actual physical control of a motor vehicle and
16 order the clerk of the court to report the violation to the
17 Secretary of State as such.

18 (d) No graduated driver's license shall be issued for 9
19 months to any applicant under the age of 18 years who has
20 committed and subsequently been convicted of an offense
21 against traffic regulations governing the movement of
22 vehicles, any violation of this Section or Section 12-603.1 of
23 this Code, or who has received a disposition of court
24 supervision for a violation of Section 6-20 of the Illinois
25 Liquor Control Act of 1934 or a similar provision of a local
26 ordinance.

1 (e) No graduated driver's license holder under the age of
2 18 years shall operate any motor vehicle, except a motor
3 driven cycle or motorcycle, with more than one passenger in
4 the front seat of the motor vehicle and no more passengers in
5 the back seats than the number of available seat safety belts
6 as set forth in Section 12-603 of this Code. If a graduated
7 driver's license holder over the age of 18 committed an
8 offense against traffic regulations governing the movement of
9 vehicles or any violation of this Section or Section 12-603.1
10 of this Code in the 6 months prior to the graduated driver's
11 license holder's 18th birthday, and was subsequently convicted
12 of the violation, the provisions of this paragraph shall
13 continue to apply until such time as a period of 6 consecutive
14 months has elapsed without an additional violation and
15 subsequent conviction of an offense against traffic
16 regulations governing the movement of vehicles or any
17 violation of this Section or Section 12-603.1 of this Code.

18 (f) (Blank).

19 (g) If a graduated driver's license holder is under the
20 age of 18 when he or she receives the license, for the first 12
21 months he or she holds the license or until he or she reaches
22 the age of 18, whichever occurs sooner, the graduated license
23 holder may not operate a motor vehicle with more than one
24 passenger in the vehicle who is under the age of 20, unless any
25 additional passenger or passengers are siblings,
26 step-siblings, children, or stepchildren of the driver. If a

1 graduated driver's license holder committed an offense against
2 traffic regulations governing the movement of vehicles or any
3 violation of this Section or Section 12-603.1 of this Code
4 during the first 12 months the license is held and
5 subsequently is convicted of the violation, the provisions of
6 this paragraph shall remain in effect until such time as a
7 period of 6 consecutive months has elapsed without an
8 additional violation and subsequent conviction of an offense
9 against traffic regulations governing the movement of vehicles
10 or any violation of this Section or Section 12-603.1 of this
11 Code.

12 (h) It shall be an offense for a person that is age 15, but
13 under age 20, to be a passenger in a vehicle operated by a
14 driver holding a graduated driver's license during the first
15 12 months the driver holds the license or until the driver
16 reaches the age of 18, whichever occurs sooner, if another
17 passenger under the age of 20 is present, excluding a sibling,
18 step-sibling, child, or step-child of the driver.

19 (i) No graduated driver's license shall be issued to any
20 applicant under the age of 18 years if the applicant has been
21 issued a traffic citation for which a disposition has not been
22 rendered at the time of application.

23 (Source: P.A. 97-229, eff. 7-28-11; 97-835, eff. 7-20-12;
24 98-168, eff. 1-1-14; 98-718, eff. 1-1-15.)

25 (625 ILCS 5/6-408.5)

1 Sec. 6-408.5. Courses for students or high school
2 dropouts; limitation.

3 (a) No driver training school or driving training
4 instructor licensed under this Act may request a certificate
5 of completion from the Secretary of State as provided in
6 Section 6-411 for any person who is enrolled as a student in
7 any public or non-public secondary school at the time such
8 instruction is to be provided, or who was so enrolled during
9 the semester last ended if that instruction is to be provided
10 between semesters or during the summer after the regular
11 school term ends, unless that student has received a passing
12 grade in at least 8 courses during the 2 semesters last ending
13 prior to requesting a certificate of completion from the
14 Secretary of State for the student.

15 (b) No driver training school or driving training
16 instructor licensed under this Act may request a certificate
17 of completion from the Secretary of State as provided in
18 Section 6-411 for any person who has dropped out of school and
19 has not yet attained the age of 18 years unless the driver
20 training school or driving training instructor has: 1)
21 obtained written documentation verifying the dropout's
22 enrollment in a high school equivalency testing or alternative
23 education program or has obtained a copy of the dropout's
24 State of Illinois High School Diploma ~~high school equivalency~~
25 ~~certificate~~; 2) obtained verification that the student prior
26 to dropping out had received a passing grade in at least 8

1 courses during the 2 previous semesters last ending prior to
2 requesting a certificate of completion; or 3) obtained written
3 consent from the dropout's parents or guardians and the
4 regional superintendent.

5 (c) Students shall be informed of the eligibility
6 requirements of this Act in writing at the time of
7 registration.

8 (d) The superintendent of schools of the school district
9 in which the student resides and attends school or in which the
10 student resides at the time he or she drops out of school (with
11 respect to a public high school student or a dropout from the
12 public high school) or the chief school administrator (with
13 respect to a student who attends a non-public high school or a
14 dropout from a non-public high school) may waive the
15 requirements of this Section if the superintendent or chief
16 school administrator, as the case may be, deems it to be in the
17 best interests of the student or dropout. Before requesting a
18 certificate of completion from the Secretary of State for any
19 person who is enrolled as a student in any public or non-public
20 secondary school or who was so enrolled in the semester last
21 ending prior to the request for a certificate of completion
22 from the Secretary of State or who is of high school age, the
23 driver training school shall determine from the school
24 district in which that person resides or resided at the time of
25 dropping out of school, or from the chief administrator of the
26 non-public high school attended or last attended by such

1 person, as the case may be, that such person is not ineligible
2 to receive a certificate of completion under this Section.

3 (Source: P.A. 98-718, eff. 1-1-15.)

4 Section 90. The Unified Code of Corrections is amended by
5 changing Sections 3-6-3, 3-6-8, and 5-8-1.3 as follows:

6 (730 ILCS 5/3-6-3) (from Ch. 38, par. 1003-6-3)

7 Sec. 3-6-3. Rules and regulations for sentence credit.

8 (a) (1) The Department of Corrections shall prescribe rules
9 and regulations for awarding and revoking sentence credit for
10 persons committed to the Department which shall be subject to
11 review by the Prisoner Review Board.

12 (1.5) As otherwise provided by law, sentence credit may be
13 awarded for the following:

14 (A) successful completion of programming while in
15 custody of the Department or while in custody prior to
16 sentencing;

17 (B) compliance with the rules and regulations of the
18 Department; or

19 (C) service to the institution, service to a
20 community, or service to the State.

21 (2) Except as provided in paragraph (4.7) of this
22 subsection (a), the rules and regulations on sentence credit
23 shall provide, with respect to offenses listed in clause (i),
24 (ii), or (iii) of this paragraph (2) committed on or after June

1 19, 1998 or with respect to the offense listed in clause (iv)
2 of this paragraph (2) committed on or after June 23, 2005 (the
3 effective date of Public Act 94-71) or with respect to offense
4 listed in clause (vi) committed on or after June 1, 2008 (the
5 effective date of Public Act 95-625) or with respect to the
6 offense of being an armed habitual criminal committed on or
7 after August 2, 2005 (the effective date of Public Act 94-398)
8 or with respect to the offenses listed in clause (v) of this
9 paragraph (2) committed on or after August 13, 2007 (the
10 effective date of Public Act 95-134) or with respect to the
11 offense of aggravated domestic battery committed on or after
12 July 23, 2010 (the effective date of Public Act 96-1224) or
13 with respect to the offense of attempt to commit terrorism
14 committed on or after January 1, 2013 (the effective date of
15 Public Act 97-990), the following:

16 (i) that a prisoner who is serving a term of
17 imprisonment for first degree murder or for the offense of
18 terrorism shall receive no sentence credit and shall serve
19 the entire sentence imposed by the court;

20 (ii) that a prisoner serving a sentence for attempt to
21 commit terrorism, attempt to commit first degree murder,
22 solicitation of murder, solicitation of murder for hire,
23 intentional homicide of an unborn child, predatory
24 criminal sexual assault of a child, aggravated criminal
25 sexual assault, criminal sexual assault, aggravated
26 kidnapping, aggravated battery with a firearm as described

1 in Section 12-4.2 or subdivision (e) (1), (e) (2), (e) (3),
2 or (e) (4) of Section 12-3.05, heinous battery as described
3 in Section 12-4.1 or subdivision (a) (2) of Section
4 12-3.05, being an armed habitual criminal, aggravated
5 battery of a senior citizen as described in Section 12-4.6
6 or subdivision (a) (4) of Section 12-3.05, or aggravated
7 battery of a child as described in Section 12-4.3 or
8 subdivision (b) (1) of Section 12-3.05 shall receive no
9 more than 4.5 days of sentence credit for each month of his
10 or her sentence of imprisonment;

11 (iii) that a prisoner serving a sentence for home
12 invasion, armed robbery, aggravated vehicular hijacking,
13 aggravated discharge of a firearm, or armed violence with
14 a category I weapon or category II weapon, when the court
15 has made and entered a finding, pursuant to subsection
16 (c-1) of Section 5-4-1 of this Code, that the conduct
17 leading to conviction for the enumerated offense resulted
18 in great bodily harm to a victim, shall receive no more
19 than 4.5 days of sentence credit for each month of his or
20 her sentence of imprisonment;

21 (iv) that a prisoner serving a sentence for aggravated
22 discharge of a firearm, whether or not the conduct leading
23 to conviction for the offense resulted in great bodily
24 harm to the victim, shall receive no more than 4.5 days of
25 sentence credit for each month of his or her sentence of
26 imprisonment;

1 (v) that a person serving a sentence for gunrunning,
2 narcotics racketeering, controlled substance trafficking,
3 methamphetamine trafficking, drug-induced homicide,
4 aggravated methamphetamine-related child endangerment,
5 money laundering pursuant to clause (c) (4) or (5) of
6 Section 29B-1 of the Criminal Code of 1961 or the Criminal
7 Code of 2012, or a Class X felony conviction for delivery
8 of a controlled substance, possession of a controlled
9 substance with intent to manufacture or deliver,
10 calculated criminal drug conspiracy, criminal drug
11 conspiracy, street gang criminal drug conspiracy,
12 participation in methamphetamine manufacturing,
13 aggravated participation in methamphetamine
14 manufacturing, delivery of methamphetamine, possession
15 with intent to deliver methamphetamine, aggravated
16 delivery of methamphetamine, aggravated possession with
17 intent to deliver methamphetamine, methamphetamine
18 conspiracy when the substance containing the controlled
19 substance or methamphetamine is 100 grams or more shall
20 receive no more than 7.5 days sentence credit for each
21 month of his or her sentence of imprisonment;

22 (vi) that a prisoner serving a sentence for a second
23 or subsequent offense of luring a minor shall receive no
24 more than 4.5 days of sentence credit for each month of his
25 or her sentence of imprisonment; and

26 (vii) that a prisoner serving a sentence for

1 aggravated domestic battery shall receive no more than 4.5
2 days of sentence credit for each month of his or her
3 sentence of imprisonment.

4 (2.1) For all offenses, other than those enumerated in
5 subdivision (a)(2)(i), (ii), or (iii) committed on or after
6 June 19, 1998 or subdivision (a)(2)(iv) committed on or after
7 June 23, 2005 (the effective date of Public Act 94-71) or
8 subdivision (a)(2)(v) committed on or after August 13, 2007
9 (the effective date of Public Act 95-134) or subdivision
10 (a)(2)(vi) committed on or after June 1, 2008 (the effective
11 date of Public Act 95-625) or subdivision (a)(2)(vii)
12 committed on or after July 23, 2010 (the effective date of
13 Public Act 96-1224), and other than the offense of aggravated
14 driving under the influence of alcohol, other drug or drugs,
15 or intoxicating compound or compounds, or any combination
16 thereof as defined in subparagraph (F) of paragraph (1) of
17 subsection (d) of Section 11-501 of the Illinois Vehicle Code,
18 and other than the offense of aggravated driving under the
19 influence of alcohol, other drug or drugs, or intoxicating
20 compound or compounds, or any combination thereof as defined
21 in subparagraph (C) of paragraph (1) of subsection (d) of
22 Section 11-501 of the Illinois Vehicle Code committed on or
23 after January 1, 2011 (the effective date of Public Act
24 96-1230), the rules and regulations shall provide that a
25 prisoner who is serving a term of imprisonment shall receive
26 one day of sentence credit for each day of his or her sentence

1 of imprisonment or recommitment under Section 3-3-9. Each day
2 of sentence credit shall reduce by one day the prisoner's
3 period of imprisonment or recommitment under Section 3-3-9.

4 (2.2) A prisoner serving a term of natural life
5 imprisonment or a prisoner who has been sentenced to death
6 shall receive no sentence credit.

7 (2.3) Except as provided in paragraph (4.7) of this
8 subsection (a), the rules and regulations on sentence credit
9 shall provide that a prisoner who is serving a sentence for
10 aggravated driving under the influence of alcohol, other drug
11 or drugs, or intoxicating compound or compounds, or any
12 combination thereof as defined in subparagraph (F) of
13 paragraph (1) of subsection (d) of Section 11-501 of the
14 Illinois Vehicle Code, shall receive no more than 4.5 days of
15 sentence credit for each month of his or her sentence of
16 imprisonment.

17 (2.4) Except as provided in paragraph (4.7) of this
18 subsection (a), the rules and regulations on sentence credit
19 shall provide with respect to the offenses of aggravated
20 battery with a machine gun or a firearm equipped with any
21 device or attachment designed or used for silencing the report
22 of a firearm or aggravated discharge of a machine gun or a
23 firearm equipped with any device or attachment designed or
24 used for silencing the report of a firearm, committed on or
25 after July 15, 1999 (the effective date of Public Act 91-121),
26 that a prisoner serving a sentence for any of these offenses

1 shall receive no more than 4.5 days of sentence credit for each
2 month of his or her sentence of imprisonment.

3 (2.5) Except as provided in paragraph (4.7) of this
4 subsection (a), the rules and regulations on sentence credit
5 shall provide that a prisoner who is serving a sentence for
6 aggravated arson committed on or after July 27, 2001 (the
7 effective date of Public Act 92-176) shall receive no more
8 than 4.5 days of sentence credit for each month of his or her
9 sentence of imprisonment.

10 (2.6) Except as provided in paragraph (4.7) of this
11 subsection (a), the rules and regulations on sentence credit
12 shall provide that a prisoner who is serving a sentence for
13 aggravated driving under the influence of alcohol, other drug
14 or drugs, or intoxicating compound or compounds or any
15 combination thereof as defined in subparagraph (C) of
16 paragraph (1) of subsection (d) of Section 11-501 of the
17 Illinois Vehicle Code committed on or after January 1, 2011
18 (the effective date of Public Act 96-1230) shall receive no
19 more than 4.5 days of sentence credit for each month of his or
20 her sentence of imprisonment.

21 (3) In addition to the sentence credits earned under
22 paragraphs (2.1), (4), (4.1), (4.2), and (4.7) of this
23 subsection (a), the rules and regulations shall also provide
24 that the Director may award up to 180 days of earned sentence
25 credit for prisoners serving a sentence of incarceration of
26 less than 5 years, and up to 365 days of earned sentence credit

1 for prisoners serving a sentence of 5 years or longer. The
2 Director may grant this credit for good conduct in specific
3 instances as the Director deems proper. The good conduct may
4 include, but is not limited to, compliance with the rules and
5 regulations of the Department, service to the Department,
6 service to a community, or service to the State.

7 Eligible inmates for an award of earned sentence credit
8 under this paragraph (3) may be selected to receive the credit
9 at the Director's or his or her designee's sole discretion.
10 Eligibility for the additional earned sentence credit under
11 this paragraph (3) may be based on, but is not limited to,
12 participation in programming offered by the Department as
13 appropriate for the prisoner based on the results of any
14 available risk/needs assessment or other relevant assessments
15 or evaluations administered by the Department using a
16 validated instrument, the circumstances of the crime,
17 demonstrated commitment to rehabilitation by a prisoner with a
18 history of conviction for a forcible felony enumerated in
19 Section 2-8 of the Criminal Code of 2012, the inmate's
20 behavior and improvements in disciplinary history while
21 incarcerated, and the inmate's commitment to rehabilitation,
22 including participation in programming offered by the
23 Department.

24 The Director shall not award sentence credit under this
25 paragraph (3) to an inmate unless the inmate has served a
26 minimum of 60 days of the sentence; except nothing in this

1 paragraph shall be construed to permit the Director to extend
2 an inmate's sentence beyond that which was imposed by the
3 court. Prior to awarding credit under this paragraph (3), the
4 Director shall make a written determination that the inmate:

5 (A) is eligible for the earned sentence credit;

6 (B) has served a minimum of 60 days, or as close to 60
7 days as the sentence will allow;

8 (B-1) has received a risk/needs assessment or other
9 relevant evaluation or assessment administered by the
10 Department using a validated instrument; and

11 (C) has met the eligibility criteria established by
12 rule for earned sentence credit.

13 The Director shall determine the form and content of the
14 written determination required in this subsection.

15 (3.5) The Department shall provide annual written reports
16 to the Governor and the General Assembly on the award of earned
17 sentence credit no later than February 1 of each year. The
18 Department must publish both reports on its website within 48
19 hours of transmitting the reports to the Governor and the
20 General Assembly. The reports must include:

21 (A) the number of inmates awarded earned sentence
22 credit;

23 (B) the average amount of earned sentence credit
24 awarded;

25 (C) the holding offenses of inmates awarded earned
26 sentence credit; and

1 (D) the number of earned sentence credit revocations.

2 (4) (A) Except as provided in paragraph (4.7) of this
3 subsection (a), the rules and regulations shall also provide
4 that any prisoner who is engaged full-time in substance abuse
5 programs, correctional industry assignments, educational
6 programs, work-release programs or activities in accordance
7 with Article 13 of Chapter III of this Code, behavior
8 modification programs, life skills courses, or re-entry
9 planning provided by the Department under this paragraph (4)
10 and satisfactorily completes the assigned program as
11 determined by the standards of the Department, shall receive
12 one day of sentence credit for each day in which that prisoner
13 is engaged in the activities described in this paragraph. The
14 rules and regulations shall also provide that sentence credit
15 may be provided to an inmate who was held in pre-trial
16 detention prior to his or her current commitment to the
17 Department of Corrections and successfully completed a
18 full-time, 60-day or longer substance abuse program,
19 educational program, behavior modification program, life
20 skills course, or re-entry planning provided by the county
21 department of corrections or county jail. Calculation of this
22 county program credit shall be done at sentencing as provided
23 in Section 5-4.5-100 of this Code and shall be included in the
24 sentencing order. The rules and regulations shall also provide
25 that sentence credit may be provided to an inmate who is in
26 compliance with programming requirements in an adult

1 transition center.

2 (B) The Department shall award sentence credit under this
3 paragraph (4) accumulated prior to January 1, 2020 (the
4 effective date of Public Act 101-440) in an amount specified
5 in subparagraph (C) of this paragraph (4) to an inmate serving
6 a sentence for an offense committed prior to June 19, 1998, if
7 the Department determines that the inmate is entitled to this
8 sentence credit, based upon:

9 (i) documentation provided by the Department that the
10 inmate engaged in any full-time substance abuse programs,
11 correctional industry assignments, educational programs,
12 behavior modification programs, life skills courses, or
13 re-entry planning provided by the Department under this
14 paragraph (4) and satisfactorily completed the assigned
15 program as determined by the standards of the Department
16 during the inmate's current term of incarceration; or

17 (ii) the inmate's own testimony in the form of an
18 affidavit or documentation, or a third party's
19 documentation or testimony in the form of an affidavit
20 that the inmate likely engaged in any full-time substance
21 abuse programs, correctional industry assignments,
22 educational programs, behavior modification programs, life
23 skills courses, or re-entry planning provided by the
24 Department under paragraph (4) and satisfactorily
25 completed the assigned program as determined by the
26 standards of the Department during the inmate's current

1 term of incarceration.

2 (C) If the inmate can provide documentation that he or she
3 is entitled to sentence credit under subparagraph (B) in
4 excess of 45 days of participation in those programs, the
5 inmate shall receive 90 days of sentence credit. If the inmate
6 cannot provide documentation of more than 45 days of
7 participation in those programs, the inmate shall receive 45
8 days of sentence credit. In the event of a disagreement
9 between the Department and the inmate as to the amount of
10 credit accumulated under subparagraph (B), if the Department
11 provides documented proof of a lesser amount of days of
12 participation in those programs, that proof shall control. If
13 the Department provides no documentary proof, the inmate's
14 proof as set forth in clause (ii) of subparagraph (B) shall
15 control as to the amount of sentence credit provided.

16 (D) If the inmate has been convicted of a sex offense as
17 defined in Section 2 of the Sex Offender Registration Act,
18 sentencing credits under subparagraph (B) of this paragraph
19 (4) shall be awarded by the Department only if the conditions
20 set forth in paragraph (4.6) of subsection (a) are satisfied.
21 No inmate serving a term of natural life imprisonment shall
22 receive sentence credit under subparagraph (B) of this
23 paragraph (4).

24 Educational, vocational, substance abuse, behavior
25 modification programs, life skills courses, re-entry planning,
26 and correctional industry programs under which sentence credit

1 may be earned under this paragraph (4) and paragraph (4.1) of
2 this subsection (a) shall be evaluated by the Department on
3 the basis of documented standards. The Department shall report
4 the results of these evaluations to the Governor and the
5 General Assembly by September 30th of each year. The reports
6 shall include data relating to the recidivism rate among
7 program participants.

8 Availability of these programs shall be subject to the
9 limits of fiscal resources appropriated by the General
10 Assembly for these purposes. Eligible inmates who are denied
11 immediate admission shall be placed on a waiting list under
12 criteria established by the Department. The rules and
13 regulations shall provide that a prisoner who has been placed
14 on a waiting list but is transferred for non-disciplinary
15 reasons before beginning a program shall receive priority
16 placement on the waitlist for appropriate programs at the new
17 facility. The inability of any inmate to become engaged in any
18 such programs by reason of insufficient program resources or
19 for any other reason established under the rules and
20 regulations of the Department shall not be deemed a cause of
21 action under which the Department or any employee or agent of
22 the Department shall be liable for damages to the inmate. The
23 rules and regulations shall provide that a prisoner who begins
24 an educational, vocational, substance abuse, work-release
25 programs or activities in accordance with Article 13 of
26 Chapter III of this Code, behavior modification program, life

1 skills course, re-entry planning, or correctional industry
2 programs but is unable to complete the program due to illness,
3 disability, transfer, lockdown, or another reason outside of
4 the prisoner's control shall receive prorated sentence credits
5 for the days in which the prisoner did participate.

6 (4.1) Except as provided in paragraph (4.7) of this
7 subsection (a), the rules and regulations shall also provide
8 that an additional 90 days of sentence credit shall be awarded
9 to any prisoner who passes high school equivalency testing
10 while the prisoner is committed to the Department of
11 Corrections. The sentence credit awarded under this paragraph
12 (4.1) shall be in addition to, and shall not affect, the award
13 of sentence credit under any other paragraph of this Section,
14 but shall also be pursuant to the guidelines and restrictions
15 set forth in paragraph (4) of subsection (a) of this Section.
16 The sentence credit provided for in this paragraph shall be
17 available only to those prisoners who have not previously
18 earned a high school diploma or a State of Illinois High School
19 Diploma ~~high school equivalency certificate~~. If, after an
20 award of the high school equivalency testing sentence credit
21 has been made, the Department determines that the prisoner was
22 not eligible, then the award shall be revoked. The Department
23 may also award 90 days of sentence credit to any committed
24 person who passed high school equivalency testing while he or
25 she was held in pre-trial detention prior to the current
26 commitment to the Department of Corrections. Except as

1 provided in paragraph (4.7) of this subsection (a), the rules
2 and regulations shall provide that an additional 120 days of
3 sentence credit shall be awarded to any prisoner who obtains
4 an associate degree while the prisoner is committed to the
5 Department of Corrections, regardless of the date that the
6 associate degree was obtained, including if prior to July 1,
7 2021 (the effective date of Public Act 101-652). The sentence
8 credit awarded under this paragraph (4.1) shall be in addition
9 to, and shall not affect, the award of sentence credit under
10 any other paragraph of this Section, but shall also be under
11 the guidelines and restrictions set forth in paragraph (4) of
12 subsection (a) of this Section. The sentence credit provided
13 for in this paragraph (4.1) shall be available only to those
14 prisoners who have not previously earned an associate degree
15 prior to the current commitment to the Department of
16 Corrections. If, after an award of the associate degree
17 sentence credit has been made and the Department determines
18 that the prisoner was not eligible, then the award shall be
19 revoked. The Department may also award 120 days of sentence
20 credit to any committed person who earned an associate degree
21 while he or she was held in pre-trial detention prior to the
22 current commitment to the Department of Corrections.

23 Except as provided in paragraph (4.7) of this subsection
24 (a), the rules and regulations shall provide that an
25 additional 180 days of sentence credit shall be awarded to any
26 prisoner who obtains a bachelor's degree while the prisoner is

1 committed to the Department of Corrections. The sentence
2 credit awarded under this paragraph (4.1) shall be in addition
3 to, and shall not affect, the award of sentence credit under
4 any other paragraph of this Section, but shall also be under
5 the guidelines and restrictions set forth in paragraph (4) of
6 this subsection (a). The sentence credit provided for in this
7 paragraph shall be available only to those prisoners who have
8 not earned a bachelor's degree prior to the current commitment
9 to the Department of Corrections. If, after an award of the
10 bachelor's degree sentence credit has been made, the
11 Department determines that the prisoner was not eligible, then
12 the award shall be revoked. The Department may also award 180
13 days of sentence credit to any committed person who earned a
14 bachelor's degree while he or she was held in pre-trial
15 detention prior to the current commitment to the Department of
16 Corrections.

17 Except as provided in paragraph (4.7) of this subsection
18 (a), the rules and regulations shall provide that an
19 additional 180 days of sentence credit shall be awarded to any
20 prisoner who obtains a master's or professional degree while
21 the prisoner is committed to the Department of Corrections.
22 The sentence credit awarded under this paragraph (4.1) shall
23 be in addition to, and shall not affect, the award of sentence
24 credit under any other paragraph of this Section, but shall
25 also be under the guidelines and restrictions set forth in
26 paragraph (4) of this subsection (a). The sentence credit

1 provided for in this paragraph shall be available only to
2 those prisoners who have not previously earned a master's or
3 professional degree prior to the current commitment to the
4 Department of Corrections. If, after an award of the master's
5 or professional degree sentence credit has been made, the
6 Department determines that the prisoner was not eligible, then
7 the award shall be revoked. The Department may also award 180
8 days of sentence credit to any committed person who earned a
9 master's or professional degree while he or she was held in
10 pre-trial detention prior to the current commitment to the
11 Department of Corrections.

12 (4.2) The rules and regulations shall also provide that
13 any prisoner engaged in self-improvement programs, volunteer
14 work, or work assignments that are not otherwise eligible
15 activities under paragraph (4), shall receive up to 0.5 days
16 of sentence credit for each day in which the prisoner is
17 engaged in activities described in this paragraph.

18 (4.5) The rules and regulations on sentence credit shall
19 also provide that when the court's sentencing order recommends
20 a prisoner for substance abuse treatment and the crime was
21 committed on or after September 1, 2003 (the effective date of
22 Public Act 93-354), the prisoner shall receive no sentence
23 credit awarded under clause (3) of this subsection (a) unless
24 he or she participates in and completes a substance abuse
25 treatment program. The Director may waive the requirement to
26 participate in or complete a substance abuse treatment program

1 in specific instances if the prisoner is not a good candidate
2 for a substance abuse treatment program for medical,
3 programming, or operational reasons. Availability of substance
4 abuse treatment shall be subject to the limits of fiscal
5 resources appropriated by the General Assembly for these
6 purposes. If treatment is not available and the requirement to
7 participate and complete the treatment has not been waived by
8 the Director, the prisoner shall be placed on a waiting list
9 under criteria established by the Department. The Director may
10 allow a prisoner placed on a waiting list to participate in and
11 complete a substance abuse education class or attend substance
12 abuse self-help meetings in lieu of a substance abuse
13 treatment program. A prisoner on a waiting list who is not
14 placed in a substance abuse program prior to release may be
15 eligible for a waiver and receive sentence credit under clause
16 (3) of this subsection (a) at the discretion of the Director.

17 (4.6) The rules and regulations on sentence credit shall
18 also provide that a prisoner who has been convicted of a sex
19 offense as defined in Section 2 of the Sex Offender
20 Registration Act shall receive no sentence credit unless he or
21 she either has successfully completed or is participating in
22 sex offender treatment as defined by the Sex Offender
23 Management Board. However, prisoners who are waiting to
24 receive treatment, but who are unable to do so due solely to
25 the lack of resources on the part of the Department, may, at
26 the Director's sole discretion, be awarded sentence credit at

1 a rate as the Director shall determine.

2 (4.7) On or after January 1, 2018 (the effective date of
3 Public Act 100-3), sentence credit under paragraph (3), (4),
4 or (4.1) of this subsection (a) may be awarded to a prisoner
5 who is serving a sentence for an offense described in
6 paragraph (2), (2.3), (2.4), (2.5), or (2.6) for credit earned
7 on or after January 1, 2018 (the effective date of Public Act
8 100-3); provided, the award of the credits under this
9 paragraph (4.7) shall not reduce the sentence of the prisoner
10 to less than the following amounts:

11 (i) 85% of his or her sentence if the prisoner is
12 required to serve 85% of his or her sentence; or

13 (ii) 60% of his or her sentence if the prisoner is
14 required to serve 75% of his or her sentence, except if the
15 prisoner is serving a sentence for gunrunning his or her
16 sentence shall not be reduced to less than 75%.

17 (iii) 100% of his or her sentence if the prisoner is
18 required to serve 100% of his or her sentence.

19 (5) Whenever the Department is to release any inmate
20 earlier than it otherwise would because of a grant of earned
21 sentence credit under paragraph (3) of subsection (a) of this
22 Section given at any time during the term, the Department
23 shall give reasonable notice of the impending release not less
24 than 14 days prior to the date of the release to the State's
25 Attorney of the county where the prosecution of the inmate
26 took place, and if applicable, the State's Attorney of the

1 county into which the inmate will be released. The Department
2 must also make identification information and a recent photo
3 of the inmate being released accessible on the Internet by
4 means of a hyperlink labeled "Community Notification of Inmate
5 Early Release" on the Department's World Wide Web homepage.
6 The identification information shall include the inmate's:
7 name, any known alias, date of birth, physical
8 characteristics, commitment offense, and county where
9 conviction was imposed. The identification information shall
10 be placed on the website within 3 days of the inmate's release
11 and the information may not be removed until either:
12 completion of the first year of mandatory supervised release
13 or return of the inmate to custody of the Department.

14 (b) Whenever a person is or has been committed under
15 several convictions, with separate sentences, the sentences
16 shall be construed under Section 5-8-4 in granting and
17 forfeiting of sentence credit.

18 (c) (1) The Department shall prescribe rules and
19 regulations for revoking sentence credit, including revoking
20 sentence credit awarded under paragraph (3) of subsection (a)
21 of this Section. The Department shall prescribe rules and
22 regulations establishing and requiring the use of a sanctions
23 matrix for revoking sentence credit. The Department shall
24 prescribe rules and regulations for suspending or reducing the
25 rate of accumulation of sentence credit for specific rule
26 violations, during imprisonment. These rules and regulations

1 shall provide that no inmate may be penalized more than one
2 year of sentence credit for any one infraction.

3 (2) When the Department seeks to revoke, suspend, or
4 reduce the rate of accumulation of any sentence credits for an
5 alleged infraction of its rules, it shall bring charges
6 therefor against the prisoner sought to be so deprived of
7 sentence credits before the Prisoner Review Board as provided
8 in subparagraph (a)(4) of Section 3-3-2 of this Code, if the
9 amount of credit at issue exceeds 30 days, whether from one
10 infraction or cumulatively from multiple infractions arising
11 out of a single event, or when, during any 12-month period, the
12 cumulative amount of credit revoked exceeds 30 days except
13 where the infraction is committed or discovered within 60 days
14 of scheduled release. In those cases, the Department of
15 Corrections may revoke up to 30 days of sentence credit. The
16 Board may subsequently approve the revocation of additional
17 sentence credit, if the Department seeks to revoke sentence
18 credit in excess of 30 days. However, the Board shall not be
19 empowered to review the Department's decision with respect to
20 the loss of 30 days of sentence credit within any calendar year
21 for any prisoner or to increase any penalty beyond the length
22 requested by the Department.

23 (3) The Director of the Department of Corrections, in
24 appropriate cases, may restore sentence credits which have
25 been revoked, suspended, or reduced. The Department shall
26 prescribe rules and regulations governing the restoration of

1 sentence credits. These rules and regulations shall provide
2 for the automatic restoration of sentence credits following a
3 period in which the prisoner maintains a record without a
4 disciplinary violation.

5 Nothing contained in this Section shall prohibit the
6 Prisoner Review Board from ordering, pursuant to Section
7 3-3-9(a)(3)(i)(B), that a prisoner serve up to one year of the
8 sentence imposed by the court that was not served due to the
9 accumulation of sentence credit.

10 (d) If a lawsuit is filed by a prisoner in an Illinois or
11 federal court against the State, the Department of
12 Corrections, or the Prisoner Review Board, or against any of
13 their officers or employees, and the court makes a specific
14 finding that a pleading, motion, or other paper filed by the
15 prisoner is frivolous, the Department of Corrections shall
16 conduct a hearing to revoke up to 180 days of sentence credit
17 by bringing charges against the prisoner sought to be deprived
18 of the sentence credits before the Prisoner Review Board as
19 provided in subparagraph (a)(8) of Section 3-3-2 of this Code.
20 If the prisoner has not accumulated 180 days of sentence
21 credit at the time of the finding, then the Prisoner Review
22 Board may revoke all sentence credit accumulated by the
23 prisoner.

24 For purposes of this subsection (d):

25 (1) "Frivolous" means that a pleading, motion, or
26 other filing which purports to be a legal document filed

1 by a prisoner in his or her lawsuit meets any or all of the
2 following criteria:

3 (A) it lacks an arguable basis either in law or in
4 fact;

5 (B) it is being presented for any improper
6 purpose, such as to harass or to cause unnecessary
7 delay or needless increase in the cost of litigation;

8 (C) the claims, defenses, and other legal
9 contentions therein are not warranted by existing law
10 or by a nonfrivolous argument for the extension,
11 modification, or reversal of existing law or the
12 establishment of new law;

13 (D) the allegations and other factual contentions
14 do not have evidentiary support or, if specifically so
15 identified, are not likely to have evidentiary support
16 after a reasonable opportunity for further
17 investigation or discovery; or

18 (E) the denials of factual contentions are not
19 warranted on the evidence, or if specifically so
20 identified, are not reasonably based on a lack of
21 information or belief.

22 (2) "Lawsuit" means a motion pursuant to Section 116-3
23 of the Code of Criminal Procedure of 1963, a habeas corpus
24 action under Article X of the Code of Civil Procedure or
25 under federal law (28 U.S.C. 2254), a petition for claim
26 under the Court of Claims Act, an action under the federal

1 Civil Rights Act (42 U.S.C. 1983), or a second or
2 subsequent petition for post-conviction relief under
3 Article 122 of the Code of Criminal Procedure of 1963
4 whether filed with or without leave of court or a second or
5 subsequent petition for relief from judgment under Section
6 2-1401 of the Code of Civil Procedure.

7 (e) Nothing in Public Act 90-592 or 90-593 affects the
8 validity of Public Act 89-404.

9 (f) Whenever the Department is to release any inmate who
10 has been convicted of a violation of an order of protection
11 under Section 12-3.4 or 12-30 of the Criminal Code of 1961 or
12 the Criminal Code of 2012, earlier than it otherwise would
13 because of a grant of sentence credit, the Department, as a
14 condition of release, shall require that the person, upon
15 release, be placed under electronic surveillance as provided
16 in Section 5-8A-7 of this Code.

17 (Source: P.A. 101-440, eff. 1-1-20; 101-652, eff. 7-1-21;
18 102-28, eff. 6-25-21; 102-558, eff. 8-20-21.)

19 (730 ILCS 5/3-6-8)

20 Sec. 3-6-8. High school equivalency testing programs. The
21 Department of Corrections shall develop and establish a
22 program in the Adult Division designed to increase the number
23 of committed persons enrolled in programs for high school
24 equivalency testing and pursuing State of Illinois High School
25 Diplomas ~~high school equivalency certificates~~ by at least 100%

1 over the 4-year period following the effective date of this
2 amendatory Act of the 94th General Assembly. Pursuant to the
3 program, each adult institution and facility shall report
4 annually to the Director of Corrections on the number of
5 committed persons enrolled in high school equivalency testing
6 programs and those who pass high school equivalency testing,
7 and the number of committed persons in the Adult Division who
8 are on waiting lists for participation in the high school
9 equivalency testing programs.

10 (Source: P.A. 98-718, eff. 1-1-15.)

11 (730 ILCS 5/5-8-1.3)

12 Sec. 5-8-1.3. Pilot residential and transition treatment
13 program for women.

14 (a) The General Assembly recognizes:

15 (1) that drug-offending women with children who have
16 been in and out of the criminal justice system for years
17 are a serious problem;

18 (2) that the intergenerational cycle of women
19 continuously being part of the criminal justice system
20 needs to be broken;

21 (3) that the effects of drug offending women with
22 children disrupts family harmony and creates an atmosphere
23 that is not conducive to healthy childhood development;

24 (4) that there is a need for an effective residential
25 community supervision model to provide help to women to

1 become drug free, recover from trauma, focus on healthy
2 mother-child relationships, and establish economic
3 independence and long-term support;

4 (5) that certain non-violent women offenders with
5 children eligible for sentences of incarceration, may
6 benefit from the rehabilitative aspects of gender
7 responsive treatment programs and services. This Section
8 shall not be construed to allow violent offenders to
9 participate in a treatment program.

10 (b) Under the direction of the sheriff and with the
11 approval of the county board of commissioners, the sheriff, in
12 any county with more than 3,000,000 inhabitants, may operate a
13 residential and transition treatment program for women
14 established by the Illinois Department of Corrections if
15 funding has been provided by federal, local or private
16 entities. If the court finds during the sentencing hearing
17 conducted under Section 5-4-1 that a woman convicted of a
18 felony meets the eligibility requirements of the sheriff's
19 residential and transition treatment program for women, the
20 court may refer the offender to the sheriff's residential and
21 transition treatment program for women for consideration as a
22 participant as an alternative to incarceration in the
23 penitentiary. The sheriff shall be responsible for supervising
24 all women who are placed in the residential and transition
25 treatment program for women for the 12-month period. In the
26 event that the woman is not accepted for placement in the

1 sheriff's residential and transition treatment program for
2 women, the court shall proceed to sentence the woman to any
3 other disposition authorized by this Code. If the woman does
4 not successfully complete the residential and transition
5 treatment program for women, the woman's failure to do so
6 shall constitute a violation of the sentence to the
7 residential and transition treatment program for women.

8 (c) In order to be eligible to be a participant in the
9 pilot residential and transition treatment program for women,
10 the participant shall meet all of the following conditions:

11 (1) The woman has not been convicted of a violent
12 crime as defined in subsection (c) of Section 3 of the
13 Rights of Crime Victims and Witnesses Act, a Class X
14 felony, first or second degree murder, armed violence,
15 aggravated kidnapping, criminal sexual assault, aggravated
16 criminal sexual abuse or a subsequent conviction for
17 criminal sexual abuse, forcible detention, or arson and
18 has not been previously convicted of any of those
19 offenses.

20 (2) The woman must undergo an initial assessment
21 evaluation to determine the treatment and program plan.

22 (3) The woman was recommended and accepted for
23 placement in the pilot residential and transition
24 treatment program for women by the Department of
25 Corrections and has consented in writing to participation
26 in the program under the terms and conditions of the

1 program. The Department of Corrections may consider
2 whether space is available.

3 (d) The program may include a substance abuse treatment
4 program designed for women offenders, mental health, trauma,
5 and medical treatment; parenting skills and family
6 relationship counseling, preparation for a State of Illinois
7 High School Diploma ~~high school equivalency~~ or vocational
8 certificate; life skills program; job readiness and job skill
9 training, and a community transition development plan.

10 (e) With the approval of the Department of Corrections,
11 the sheriff shall issue requirements for the program and
12 inform the participants who shall sign an agreement to adhere
13 to all rules and all requirements for the pilot residential
14 and transition treatment program.

15 (f) Participation in the pilot residential and transition
16 treatment program for women shall be for a period not to exceed
17 12 months. The period may not be reduced by accumulation of
18 good time.

19 (g) If the woman successfully completes the pilot
20 residential and transition treatment program for women, the
21 sheriff shall notify the Department of Corrections, the court,
22 and the State's Attorney of the county of the woman's
23 successful completion.

24 (h) A woman may be removed from the pilot residential and
25 transition treatment program for women for violation of the
26 terms and conditions of the program or in the event she is

1 unable to participate. The failure to complete the program
2 shall be deemed a violation of the conditions of the program.
3 The sheriff shall give notice to the Department of
4 Corrections, the court, and the State's Attorney of the
5 woman's failure to complete the program. The Department of
6 Corrections or its designee shall file a petition alleging
7 that the woman has violated the conditions of the program with
8 the court. The State's Attorney may proceed on the petition
9 under Section 5-4-1 of this Code.

10 (i) The conditions of the pilot residential and transition
11 treatment program for women shall include that the woman while
12 in the program:

13 (1) not violate any criminal statute of any
14 jurisdiction;

15 (2) report or appear in person before any person or
16 agency as directed by the court, the sheriff, or
17 Department of Corrections;

18 (3) refrain from possessing a firearm or other
19 dangerous weapon;

20 (4) consent to drug testing;

21 (5) not leave the State without the consent of the
22 court or, in circumstances in which reason for the absence
23 is of such an emergency nature that prior consent by the
24 court is not possible, without prior notification and
25 approval of the Department of Corrections;

26 (6) upon placement in the program, must agree to

1 follow all requirements of the program.

2 (j) The Department of Corrections or the sheriff may
3 terminate the program at any time by mutual agreement or with
4 30 days prior written notice by either the Department of
5 Corrections or the sheriff.

6 (k) The Department of Corrections may enter into a joint
7 contract with a county with more than 3,000,000 inhabitants to
8 establish and operate a pilot residential and treatment
9 program for women.

10 (l) The Director of the Department of Corrections shall
11 have the authority to develop rules to establish and operate a
12 pilot residential and treatment program for women that shall
13 include criteria for selection of the participants of the
14 program in conjunction and approval by the sentencing court.
15 Violent crime offenders are not eligible to participate in the
16 program.

17 (m) The Department shall report to the Governor and the
18 General Assembly before September 30th of each year on the
19 pilot residential and treatment program for women, including
20 the composition of the program by offenders, sentence, age,
21 offense, and race. Reporting is only required if the pilot
22 residential and treatment program for women is operational.

23 (n) The Department of Corrections or the sheriff may
24 terminate the program with 30 days prior written notice.

25 (o) A county with more than 3,000,000 inhabitants is
26 authorized to apply for funding from federal, local or private

1 entities to create a Residential and Treatment Program for
2 Women. This sentencing option may not go into effect until the
3 funding is secured for the program and the program has been
4 established.

5 (Source: P.A. 97-800, eff. 7-13-12; 98-718, eff. 1-1-15.)

1	INDEX	
2	Statutes amended in order of appearance	
3	20 ILCS 505/8	from Ch. 23, par. 5008
4	20 ILCS 505/35.10	
5	20 ILCS 1315/25	
6	20 ILCS 1705/15.4	
7	105 ILCS 5/3-15.12	from Ch. 122, par. 3-15.12
8	105 ILCS 5/13-40	from Ch. 122, par. 13-40
9	105 ILCS 5/26-2	from Ch. 122, par. 26-2
10	110 ILCS 118/25	
11	110 ILCS 805/2-22	
12	110 ILCS 947/50	
13	110 ILCS 947/52	
14	110 ILCS 947/62	
15	215 ILCS 5/500-50	
16	225 ILCS 65/80-40	
17	225 ILCS 85/9	from Ch. 111, par. 4129
18	225 ILCS 235/5	from Ch. 111 1/2, par. 2205
19	225 ILCS 427/40	
20	225 ILCS 441/5-10	
21	225 ILCS 454/5-10	
22	225 ILCS 454/5-27	
23	225 ILCS 454/5-28	
24	305 ILCS 5/4-1.9	from Ch. 23, par. 4-1.9
25	305 ILCS 5/9A-8	from Ch. 23, par. 9A-8

- 1 430 ILCS 66/80
- 2 625 ILCS 5/6-107 from Ch. 95 1/2, par. 6-107
- 3 625 ILCS 5/6-408.5
- 4 730 ILCS 5/3-6-3 from Ch. 38, par. 1003-6-3
- 5 730 ILCS 5/3-6-8
- 6 730 ILCS 5/5-8-1.3