



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB4004

Introduced 1/21/2022, by Sen. Ann Gillespie

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2310/2310-434 new  
210 ILCS 9/77 new  
210 ILCS 45/3-202.05  
210 ILCS 45/3-613 new  
210 ILCS 46/3-613 new  
210 ILCS 47/3-613 new  
305 ILCS 5/5-5.01b new

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Requires the Department of Public Health to establish and implement a Certified Nursing Assistant Intern Program to address the increasing need for trained health care workers and makes conforming changes in the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that upon successful completion of the Program, an individual may provide specified patient and resident care services. Contains requirements for the Program. Amends the Assisted Living and Shared Housing Act, the Nursing Home Care Act, the MC/DD Act, and the ID/DD Community Care Act. Requires a certified nursing assistant intern to report to the charge nurse or nursing supervisor and provides that a certified nursing assistant intern may only be assigned duties authorized under the Certified Nursing Assistant Intern Program by a supervising nurse. Provides that a facility or establishment shall notify its certified and licensed staff members, in writing, that a certified nursing assistant intern may only provide the services and perform the procedures permitted under the Program. Specifies actions to be taken if a facility or establishment learns that a certified nursing assistant intern is performing work outside of the scope of the Certified Nursing Assistant Intern Program's training. In provisions amending the Nursing Home Care Act, provides that, for the purpose of computing staff to resident ratios, direct care staff shall include certified nursing assistant interns. Amends the Public Aid Code. Requires the Department of Healthcare and Family Services to establish and implement a similar Certified Nursing Assistant Intern Program for facilities certified under the Code. Effective immediately.

LRB102 24448 CPF 33682 b

1 AN ACT concerning regulation.

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

4 Section 5. The Department of Public Health Powers and  
5 Duties Law of the Civil Administrative Code of Illinois is  
6 amended by adding Section 2310-434 as follows:

7 (20 ILCS 2310/2310-434 new)

8 Sec. 2310-434. Certified Nursing Assistant Intern Program.

9 (a) As used in this Section, "facility" means a facility  
10 licensed by the Department under the Nursing Home Care Act,  
11 the MC/DD Act, or the ID/DD Community Care Act or an  
12 establishment under the Assisted Living and Shared Housing  
13 Act.

14 (b) The Department shall establish and implement a  
15 Certified Nursing Assistant Intern Program to address the  
16 increasing need for trained health care workers. Upon  
17 successful completion of the classroom education and  
18 on-the-job training requirements of the Program required under  
19 this Section, an individual may provide, at a facility, the  
20 patient and resident care services and perform the procedures  
21 permitted under subsection (e).

22 (c) In order to qualify as a certified nursing assistant  
23 intern, an individual shall successfully complete at least 8

1 hours of classroom education on the services and procedures  
2 permitted under subsection (e). The classroom education shall  
3 be:

4 (1) taken within a facility or at an alternate  
5 location provided by the individual's employer;

6 (2) proctored by an advanced practice registered  
7 nurse; and

8 (3) satisfied by the successful completion of an  
9 approved 8-hour online training course.

10 (d) In order to qualify as a certified nursing assistant  
11 intern, an individual shall successfully complete at least 24  
12 hours of on-the-job training in the services and procedures  
13 permitted under subsection (e), as follows:

14 (1) The training program instructor shall be an  
15 advanced practice registered nurse.

16 (2) The training program instructor shall ensure that  
17 the student meets the competencies set forth under  
18 subsection (e). The instructor shall document the  
19 competencies.

20 (3) All on-the-job training shall be under the direct  
21 observation of an advanced practice registered nurse.

22 (4) All on-the-job training shall be conducted at a  
23 facility.

24 (e) A certified nursing assistant intern shall receive  
25 classroom and on-the-job training on how to provide the  
26 patient or resident care services and procedures required of a

1 certified nursing assistant's performance skills, including  
2 the Heimlich maneuver and ensuring the safety and well-being  
3 of a resident during feeding. A certified nursing assistant  
4 intern may perform the following optional skills if the  
5 supervising advanced practice registered nurse deems the  
6 certified nursing assistant intern able to do so:

7 (1) Measuring and recording temperature, pulse, and  
8 respiration.

9 (2) Measuring and recording blood pressure.

10 (3) Measuring and recording weight.

11 (4) Measuring and recording height.

12 (f) A certified nursing assistant intern may not perform  
13 the following:

14 (1) Shaving a resident with a nonelectric razor.

15 (2) Nail care.

16 (3) Perineal care.

17 (4) Transfer using mechanical lift.

18 (5) Passive range of motion.

19 (6) Donning and doffing of personal protective  
20 equipment other than gloves.

21 (g) A certified nursing assistant intern may only provide  
22 the patient or resident care services and perform the  
23 procedures that he or she is deemed qualified to perform that  
24 are permitted under subsection (e). A certified nursing  
25 assistant intern may not provide the procedures excluded under  
26 subsection (f).

1       (i) The Program is subject to the Health Care Worker  
2 Background Check Act and the Health Care Worker Background  
3 Check Code codified under 77 Ill. Adm. Code 955. Program  
4 participants and personnel shall be included on the Health  
5 Care Worker Registry.

6       (j) A Program participant who has completed the training  
7 required under paragraph (5) of subsection (a) of Section  
8 3-206 of the Nursing Home Care Act, has completed the Program  
9 from April 21, 2020 through September 18, 2020, and has showed  
10 competency in all of the performance skills permitted under  
11 subsection (e) shall be considered a certified nursing  
12 assistant intern.

13       (k) The requirement under subsection (b) of Section  
14 395.400 of Title 77 of the Illinois Administrative Code that a  
15 student must pass a BNATP written competency examination  
16 within 12 months after the completion of the BNATP does not  
17 apply to a certified nursing assistant intern under this  
18 Section.

19       (l) A certified nursing assistant intern shall enroll in a  
20 certified nursing assistant program within 6 months after  
21 completing his or her certified nursing assistant intern  
22 training under the Program. The individual may continue to  
23 work as a certified nursing assistant intern during his or her  
24 certified nursing assistant training. If the scope of work for  
25 a nurse assistant in training pursuant to 77 Ill. Adm. Code  
26 300.660 is broader in scope than the work permitted to be

1 performed by a certified nursing assistant intern, then the  
2 certified nursing assistant intern enrolled in certified  
3 nursing assistant training may perform the work allowed under  
4 77. Ill. Adm. Code 300.660. The individual shall receive one  
5 hour of credit for every hour employed as a certified nursing  
6 assistant intern or as a temporary nurse assistant, not to  
7 exceed 40 hours of credit.

8 (m) A certified nursing assistant intern shall be  
9 considered a Nurse Aide in Training as provided under Appendix  
10 B of 77 Ill. Adm. Code 300.7080.

11 Section 10. The Assisted Living and Shared Housing Act is  
12 amended by adding Section 77 as follows:

13 (210 ILCS 9/77 new)

14 Sec. 77. Certified nursing assistant interns.

15 (a) A certified nursing assistant intern shall report to  
16 an establishment's charge nurse or nursing supervisor and may  
17 only be assigned duties authorized in Section 2310-434 of the  
18 Department of Public Health Powers and Duties Law of the Civil  
19 Administrative Code of Illinois by a supervising nurse.

20 (b) An establishment shall notify its certified and  
21 licensed staff members, in writing, that a certified nursing  
22 assistant intern may only provide the services and perform the  
23 procedures permitted under Section 2310-434 of the Department  
24 of Public Health Powers and Duties Law of the Civil

1 Administrative Code of Illinois. The notification shall detail  
2 which duties may be delegated to a certified nursing assistant  
3 intern.

4 (c) If an establishment learns that a certified nursing  
5 assistant intern is performing work outside of the scope of  
6 the Certified Nursing Assistant Intern Program's training, the  
7 establishment shall:

8 (1) stop the certified nursing assistant intern from  
9 performing the work;

10 (2) inspect the work and correct mistakes, if done  
11 improperly; and

12 (3) assign the work to the appropriate personnel.

13 Section 15. The Nursing Home Care Act is amended by  
14 changing Section 3-202.05 and by adding Section 3-613 as  
15 follows:

16 (210 ILCS 45/3-202.05)

17 Sec. 3-202.05. Staffing ratios effective July 1, 2010 and  
18 thereafter.

19 (a) For the purpose of computing staff to resident ratios,  
20 direct care staff shall include:

21 (1) registered nurses;

22 (2) licensed practical nurses;

23 (3) certified nurse assistants;

24 (4) psychiatric services rehabilitation aides;

- 1 (5) rehabilitation and therapy aides;
- 2 (6) psychiatric services rehabilitation coordinators;
- 3 (7) assistant directors of nursing;
- 4 (8) 50% of the Director of Nurses' time; ~~and~~
- 5 (9) 30% of the Social Services Directors' time; ~~and~~
- 6 (10) certified nursing assistant interns.

7 The Department shall, by rule, allow certain facilities  
8 subject to 77 Ill. Admin. Code 300.4000 and following (Subpart  
9 S) to utilize specialized clinical staff, as defined in rules,  
10 to count towards the staffing ratios.

11 Within 120 days of the effective date of this amendatory  
12 Act of the 97th General Assembly, the Department shall  
13 promulgate rules specific to the staffing requirements for  
14 facilities federally defined as Institutions for Mental  
15 Disease. These rules shall recognize the unique nature of  
16 individuals with chronic mental health conditions, shall  
17 include minimum requirements for specialized clinical staff,  
18 including clinical social workers, psychiatrists,  
19 psychologists, and direct care staff set forth in paragraphs  
20 (4) through (6) and any other specialized staff which may be  
21 utilized and deemed necessary to count toward staffing ratios.

22 Within 120 days of the effective date of this amendatory  
23 Act of the 97th General Assembly, the Department shall  
24 promulgate rules specific to the staffing requirements for  
25 facilities licensed under the Specialized Mental Health  
26 Rehabilitation Act of 2013. These rules shall recognize the



1 unique nature of individuals with chronic mental health  
2 conditions, shall include minimum requirements for specialized  
3 clinical staff, including clinical social workers,  
4 psychiatrists, psychologists, and direct care staff set forth  
5 in paragraphs (4) through (6) and any other specialized staff  
6 which may be utilized and deemed necessary to count toward  
7 staffing ratios.

8 (b) (Blank).

9 (b-5) For purposes of the minimum staffing ratios in this  
10 Section, all residents shall be classified as requiring either  
11 skilled care or intermediate care.

12 As used in this subsection:

13 "Intermediate care" means basic nursing care and other  
14 restorative services under periodic medical direction.

15 "Skilled care" means skilled nursing care, continuous  
16 skilled nursing observations, restorative nursing, and other  
17 services under professional direction with frequent medical  
18 supervision.

19 (c) Facilities shall notify the Department within 60 days  
20 after the effective date of this amendatory Act of the 96th  
21 General Assembly, in a form and manner prescribed by the  
22 Department, of the staffing ratios in effect on the effective  
23 date of this amendatory Act of the 96th General Assembly for  
24 both intermediate and skilled care and the number of residents  
25 receiving each level of care.

26 (d) (1) (Blank).

1 (2) (Blank).

2 (3) (Blank).

3 (4) (Blank).

4 (5) Effective January 1, 2014, the minimum staffing ratios  
5 shall be increased to 3.8 hours of nursing and personal care  
6 each day for a resident needing skilled care and 2.5 hours of  
7 nursing and personal care each day for a resident needing  
8 intermediate care.

9 (e) Ninety days after the effective date of this  
10 amendatory Act of the 97th General Assembly, a minimum of 25%  
11 of nursing and personal care time shall be provided by  
12 licensed nurses, with at least 10% of nursing and personal  
13 care time provided by registered nurses. These minimum  
14 requirements shall remain in effect until an acuity based  
15 registered nurse requirement is promulgated by rule concurrent  
16 with the adoption of the Resource Utilization Group  
17 classification-based payment methodology, as provided in  
18 Section 5-5.2 of the Illinois Public Aid Code. Registered  
19 nurses and licensed practical nurses employed by a facility in  
20 excess of these requirements may be used to satisfy the  
21 remaining 75% of the nursing and personal care time  
22 requirements. Notwithstanding this subsection, no staffing  
23 requirement in statute in effect on the effective date of this  
24 amendatory Act of the 97th General Assembly shall be reduced  
25 on account of this subsection.

26 (f) The Department shall submit proposed rules for

1 adoption by January 1, 2020 establishing a system for  
2 determining compliance with minimum staffing set forth in this  
3 Section and the requirements of 77 Ill. Adm. Code 300.1230  
4 adjusted for any waivers granted under Section 3-303.1.  
5 Compliance shall be determined quarterly by comparing the  
6 number of hours provided per resident per day using the  
7 Centers for Medicare and Medicaid Services' payroll-based  
8 journal and the facility's daily census, broken down by  
9 intermediate and skilled care as self-reported by the facility  
10 to the Department on a quarterly basis. The Department shall  
11 use the quarterly payroll-based journal and the self-reported  
12 census to calculate the number of hours provided per resident  
13 per day and compare this ratio to the minimum staffing  
14 standards required under this Section, as impacted by any  
15 waivers granted under Section 3-303.1. Discrepancies between  
16 job titles contained in this Section and the payroll-based  
17 journal shall be addressed by rule. The manner in which the  
18 Department requests payroll-based journal information to be  
19 submitted shall align with the federal Centers for Medicare  
20 and Medicaid Services' requirements that allow providers to  
21 submit the quarterly data in an aggregate manner.

22 (g) The Department shall submit proposed rules for  
23 adoption by January 1, 2020 establishing monetary penalties  
24 for facilities not in compliance with minimum staffing  
25 standards under this Section. No monetary penalty may be  
26 issued for noncompliance during the implementation period,

1 which shall be July 1, 2020 through December 31, 2021. If a  
2 facility is found to be noncompliant during the implementation  
3 period, the Department shall provide a written notice  
4 identifying the staffing deficiencies and require the facility  
5 to provide a sufficiently detailed correction plan to meet the  
6 statutory minimum staffing levels. Monetary penalties shall be  
7 imposed beginning no later than January 1, 2022 and quarterly  
8 thereafter and shall be based on the latest quarter for which  
9 the Department has data. Monetary penalties shall be  
10 established based on a formula that calculates on a daily  
11 basis the cost of wages and benefits for the missing staffing  
12 hours. All notices of noncompliance shall include the  
13 computations used to determine noncompliance and establishing  
14 the variance between minimum staffing ratios and the  
15 Department's computations. The penalty for the first offense  
16 shall be 125% of the cost of wages and benefits for the missing  
17 staffing hours. The penalty shall increase to 150% of the cost  
18 of wages and benefits for the missing staffing hours for the  
19 second offense and 200% the cost of wages and benefits for the  
20 missing staffing hours for the third and all subsequent  
21 offenses. The penalty shall be imposed regardless of whether  
22 the facility has committed other violations of this Act during  
23 the same period that the staffing offense occurred. The  
24 penalty may not be waived, but the Department shall have the  
25 discretion to determine the gravity of the violation in  
26 situations where there is no more than a 10% deviation from the

1 staffing requirements and make appropriate adjustments to the  
2 penalty. The Department is granted discretion to waive the  
3 penalty when unforeseen circumstances have occurred that  
4 resulted in call-offs of scheduled staff. This provision shall  
5 be applied no more than 6 times per quarter. Nothing in this  
6 Section diminishes a facility's right to appeal.

7 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21.)

8 (210 ILCS 45/3-613 new)

9 Sec. 3-613. Certified nursing assistant interns.

10 (a) A certified nursing assistant intern shall report to a  
11 facility's charge nurse or nursing supervisor and may only be  
12 assigned duties authorized in Section 2310-434 of the  
13 Department of Public Health Powers and Duties Law of the Civil  
14 Administrative Code of Illinois by a supervising nurse.

15 (b) A facility shall notify its certified and licensed  
16 staff members, in writing, that a certified nursing assistant  
17 intern may only provide the services and perform the  
18 procedures permitted under Section 2310-434 of the Department  
19 of Public Health Powers and Duties Law of the Civil  
20 Administrative Code of Illinois. The notification shall detail  
21 which duties may be delegated to a certified nursing assistant  
22 intern.

23 (c) If a facility learns that a certified nursing  
24 assistant intern is performing work outside of the scope of  
25 the Certified Nursing Assistant Intern Program's training, the

1 facility shall:

2 (1) stop the certified nursing assistant intern from  
3 performing the work;

4 (2) inspect the work and correct mistakes, if done  
5 improperly; and

6 (3) assign the work to the appropriate personnel.

7 Section 20. The MC/DD Act is amended by adding Section  
8 3-613 as follows:

9 (210 ILCS 46/3-613 new)

10 Sec. 3-613. Certified nursing assistant interns.

11 (a) A certified nursing assistant intern shall report to a  
12 facility's charge nurse or nursing supervisor and may only be  
13 assigned duties authorized in Section 2310-434 of the  
14 Department of Public Health Powers and Duties Law of the Civil  
15 Administrative Code of Illinois by a supervising nurse.

16 (b) A facility shall notify its certified and licensed  
17 staff members, in writing, that a certified nursing assistant  
18 intern may only provide the services and perform the  
19 procedures permitted under Section 2310-434 of the Department  
20 of Public Health Powers and Duties Law of the Civil  
21 Administrative Code of Illinois. The notification shall detail  
22 which duties may be delegated to a certified nursing assistant  
23 intern.

24 (c) If a facility learns that a certified nursing

1 assistant intern is performing work outside of the scope of  
2 the Certified Nursing Assistant Intern Program's training, the  
3 facility shall:

4 (1) stop the certified nursing assistant intern from  
5 performing the work;

6 (2) inspect the work and correct mistakes, if done  
7 improperly; and

8 (3) assign the work to the appropriate personnel.

9 Section 25. The ID/DD Community Care Act is amended by  
10 adding Section 3-613 as follows:

11 (210 ILCS 47/3-613 new)

12 Sec. 3-613. Certified nursing assistant interns.

13 (a) A certified nursing assistant intern shall report to a  
14 facility's charge nurse or nursing supervisor and may only be  
15 assigned duties authorized in Section 2310-434 of the  
16 Department of Public Health Powers and Duties Law of the Civil  
17 Administrative Code of Illinois by a supervising nurse.

18 (b) A facility shall notify its certified and licensed  
19 staff members, in writing, that a certified nursing assistant  
20 intern may only provide the services and perform the  
21 procedures permitted under Section 2310-434 of the Department  
22 of Public Health Powers and Duties Law of the Civil  
23 Administrative Code of Illinois. The notification shall detail  
24 which duties may be delegated to a certified nursing assistant

1 intern.

2 (c) If a facility learns that a certified nursing  
3 assistant intern is performing work outside of the scope of  
4 the Certified Nursing Assistant Intern Program's training, the  
5 facility shall:

6 (1) stop the certified nursing assistant intern from  
7 performing the work;

8 (2) inspect the work and correct mistakes, if done  
9 improperly; and

10 (3) assign the work to the appropriate personnel.

11 Section 30. The Illinois Public Aid Code is amended by  
12 adding Section 5-5.01b as follows:

13 (305 ILCS 5/5-5.01b new)

14 Sec. 5-5.01b. Certified Nursing Assistant Intern Program.

15 (a) The Department shall establish and implement a  
16 Certified Nursing Assistant Intern Program to address the  
17 increasing need for trained health care workers. Upon  
18 successful completion of the classroom education and  
19 on-the-job training requirements of the Program under this  
20 Section, an individual may provide, at a facility certified  
21 under this Act, the patient and resident care services and  
22 perform the procedures permitted under subsection (d).

23 (b) In order to qualify as a certified nursing assistant  
24 intern, an individual shall successfully complete at least 8



1 hours of classroom education on the services and procedures  
2 permitted under subsection (d). The classroom education shall  
3 be:

4 (1) taken within a facility or at an alternate  
5 location provided by the individual's employer;

6 (2) proctored by an advanced practice registered  
7 nurse; and

8 (3) satisfied by the successful completion of an  
9 approved 8-hour online training course.

10 (c) In order to qualify as a certified nursing assistant  
11 intern, an individual shall successfully complete at least 24  
12 hours of on-the-job training in the services and procedures  
13 permitted under subsection (d), as follows:

14 (1) The training program instructor shall be an  
15 advanced practice registered nurse.

16 (2) The training program instructor shall ensure that  
17 the student meets the competencies under subsection (d).  
18 The instructor shall document the competencies.

19 (3) All on-the-job training shall be under the direct  
20 observation of an advanced practice registered nurse.

21 (4) All on-the-job training shall be conducted at a  
22 facility.

23 (d) A certified nursing assistant intern shall receive  
24 classroom and on-the-job training on how to provide the  
25 patient or resident care services and procedures required of a  
26 certified nursing assistant's performance skills, including

1 the Heimlich maneuver and ensuring the safety and well-being  
2 of a resident during feeding. A certified nursing assistant  
3 intern may perform the following optional skills if the  
4 supervising advanced practice registered nurse deems the  
5 certified nursing assistant intern able to do so:

6 (1) Measuring and recording temperature, pulse, and  
7 respiration.

8 (2) Measuring and recording blood pressure.

9 (3) Measuring and recording weight.

10 (4) Measuring and recording height.

11 (e) A certified nursing assistant intern may not perform  
12 the following:

13 (1) Shaving a resident with a nonelectric razor.

14 (2) Nail care.

15 (3) Perineal care.

16 (4) Transfer using mechanical lift.

17 (5) Passive range of motion.

18 (6) Donning and doffing of personal protective  
19 equipment other than gloves.

20 (f) A certified nursing assistant intern may only provide  
21 the patient or resident care services and perform the  
22 procedures that he or she is deemed qualified to perform that  
23 are permitted under subsection (d). A certified nursing  
24 assistant intern may not provide the procedures excluded under  
25 subsection (e).

26 (g) A certified nursing assistant intern shall report to a

1 facility's charge nurse or nursing supervisor and may only be  
2 assigned duties authorized in this Section by a supervising  
3 nurse.

4 (h) A facility shall notify its certified and licensed  
5 staff members, in writing, that a certified nursing assistant  
6 intern may only provide the services and perform the  
7 procedures permitted under subsection (d). The notification  
8 shall detail which duties may be delegated to a certified  
9 nursing assistant intern.

10 (i) If a facility learns that a certified nursing  
11 assistant intern is performing work outside of the scope of  
12 the Program's training, the facility shall:

13 (1) stop the certified nursing assistant intern from  
14 performing the work;

15 (2) inspect the work and correct mistakes, if done  
16 improperly; and

17 (3) assign the work to the appropriate personnel.

18 (j) The Program is subject to the Health Care Worker  
19 Background Check Act and the Health Care Worker Background  
20 Check Code codified under 77 Ill. Adm. Code 955. Program  
21 participants and personnel shall be included on the Health  
22 Care Worker Registry.

23 (k) A Program participant who has completed the training  
24 required under paragraph (5) of subsection (a) of Section  
25 3-206 of the Nursing Home Care Act, has completed the Program  
26 from April 21, 2020 through September 18, 2020, and has shown

1 competency in all of the performance skills permitted under  
2 subsection (d) shall be considered a certified nursing  
3 assistant intern.

4 (l) The requirement under subsection (b) of Section  
5 395.400 of Title 77 of the Illinois Administrative Code that a  
6 student must pass a BNATP written competency examination  
7 within 12 months after the completion of the BNATP does not  
8 apply to a certified nursing assistant intern under this  
9 Section.

10 (m) A certified nursing assistant intern shall enroll in a  
11 certified nursing assistant program within 6 months after  
12 completing his or her certified nursing assistant intern  
13 training under the Program. The individual may continue to  
14 work as a certified nursing assistant intern during his or her  
15 certified nursing assistant training. If the scope of work for  
16 a nurse assistant in training pursuant to 77 Ill. Adm. Code  
17 300.660 is broader in scope than the work permitted to be  
18 performed by a certified nursing assistant intern, then the  
19 certified nursing assistant intern enrolled in certified  
20 nursing assistant training may perform the work allowed under  
21 77. Ill. Adm. Code 300.660. The individual shall receive one  
22 hour of credit for every hour employed as a certified nursing  
23 assistant intern or as a temporary nurse assistant, not to  
24 exceed 40 hours of credit.

25 (n) A certified nursing assistant intern shall be  
26 considered a Nurse Aide in Training as provided under Appendix

1 B of 77 Ill. Adm. Code 300.7080.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.