

1 AN ACT concerning State government.

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

4 Section 5. The State Employees Group Insurance Act of 1971
5 is amended by changing Section 6.11C as follows:

6 (5 ILCS 375/6.11C)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 6.11C. Coverage for injectable medicines to improve
10 glucose or weight loss. Beginning on July 1, 2024, ~~January 1,~~
11 ~~2024,~~ the State Employees Group Insurance Program shall
12 provide coverage for all types of medically necessary, as
13 determined by a physician licensed to practice medicine in all
14 its branches, injectable medicines prescribed on-label or
15 off-label to improve glucose or weight loss for use by adults
16 diagnosed or previously diagnosed with prediabetes,
17 gestational diabetes, or obesity. To continue to qualify for
18 coverage under this Section, the continued treatment must be
19 medically necessary, and covered members must, if given
20 advance, written notice, participate in a lifestyle management
21 plan administered by their health plan. This Section does not
22 apply to individuals covered by a Medicare Advantage
23 Prescription Drug Plan.

1 (Source: P.A. 103-8, eff. 1-1-24.)

2 Section 10. The Children and Family Services Act is
3 amended by changing Section 5.46 as follows:

4 (20 ILCS 505/5.46)

5 Sec. 5.46. Application for Social Security benefits,
6 Supplemental Security Income, Veterans benefits, and Railroad
7 Retirement benefits.

8 (a) Definitions. As used in this Section:

9 "Achieving a Better Life Experience Account" or "ABLE
10 account" means an account established for the purpose of
11 financing certain qualified expenses of eligible individuals
12 as specifically provided for in Section 529A of the Internal
13 Revenue Code and Section 16.6 of the State Treasurer Act.

14 "Benefits" means Social Security benefits, Supplemental
15 Security Income, Veterans benefits, and Railroad Retirement
16 benefits.

17 "DCFS Guardianship Administrator" means a Department
18 representative appointed as guardian of the person or legal
19 custodian of the minor youth in care.

20 "Youth's attorney and guardian ad litem" means the person
21 appointed as the youth's attorney or guardian ad litem in
22 accordance with the Juvenile Court Act of 1987 in the
23 proceeding in which the Department is appointed as the youth's
24 guardian or custodian.

1 (b) Application for benefits.

2 (1) Upon receiving temporary custody or guardianship
3 of a youth in care, the Department shall assess the youth
4 to determine whether the youth may be eligible for
5 benefits. If, after the assessment, the Department
6 determines that the youth may be eligible for benefits,
7 the Department shall ensure that an application is filed
8 on behalf of the youth. The Department shall prescribe by
9 rule how it will review cases of youth in care at regular
10 intervals to determine whether the youth may have become
11 eligible for benefits after the initial assessment. The
12 Department shall make reasonable efforts to encourage
13 youth in care over the age of 18 who are likely eligible
14 for benefits to cooperate with the application process and
15 to assist youth with the application process.

16 (2) When applying for benefits under this Section for
17 a youth in care the Department shall identify a
18 representative payee in accordance with the requirements
19 of 20 CFR 404.2021 and 416.621. If the Department is
20 seeking to be appointed as the youth's representative
21 payee, the Department must consider input, if provided,
22 from the youth's attorney and guardian ad litem regarding
23 whether another representative payee, consistent with the
24 requirements of 20 CFR 404.2021 and 416.621, is available.
25 If the Department serves as the representative payee for a
26 youth over the age of 18, the Department shall request a

1 court order, as described in subparagraph (C) of paragraph
2 (1) of subsection (d) and in subparagraph (C) of paragraph
3 (2) of subsection (d).

4 (c) Notifications. The Department shall immediately notify
5 a youth over the age of 16, the youth's attorney and guardian
6 ad litem, and the youth's parent or legal guardian or another
7 responsible adult of:

8 (1) any application for or any application to become
9 representative payee for benefits on behalf of a youth in
10 care;

11 (2) beginning January 1, 2025, any communications from
12 the Social Security Administration, the U.S. Department of
13 Veterans Affairs, or the Railroad Retirement Board
14 pertaining to the acceptance or denial of benefits or the
15 selection of a representative payee; and

16 (3) beginning January 1, 2025, any appeal or other
17 action requested by the Department regarding an
18 application for benefits.

19 (d) Use of benefits. Consistent with federal law, when the
20 Department serves as the representative payee for a youth
21 receiving benefits and receives benefits on the youth's
22 behalf, the Department shall:

23 (1) Beginning January 1, 2024 ~~2023~~, ensure that when
24 the youth attains the age of 14 years and until the
25 Department no longer serves as the representative payee, a
26 minimum percentage of the youth's Supplemental Security

1 Income benefits are conserved in accordance with paragraph
2 (4) as follows:

3 (A) From the age of 14 through age 15, at least
4 40%.

5 (B) From the age of 16 through age 17, at least
6 80%.

7 (C) From the age of 18 and older ~~through 20~~, 100%,
8 when a court order has been entered expressly
9 authorizing ~~allowing~~ the DCFS Guardianship
10 Administrator to serve as the designated
11 representative to establish an ABLE account on behalf
12 of a youth Department to have the authority to
13 establish and serve as an authorized agent of the
14 youth over the age of 18 with respect to an account
15 established in accordance with paragraph (4).

16 (2) Beginning January 1, 2024, ensure that when the
17 youth attains the age of 14 years and until the Department
18 no longer serves as the representative payee a minimum
19 percentage of the youth's Social Security benefits,
20 Veterans benefits, or Railroad Retirement benefits are
21 conserved in accordance with paragraph (3) or (4), as
22 applicable, as follows:

23 (A) From the age of 14 through age 15, at least
24 40%.

25 (B) From the age of 16 through age 17, at least
26 80%.

1 (C) From the age of 18 ~~through 20~~, 100%. If
2 establishment of an ABLE account is necessary to
3 conserve benefits for youth age 18 and older, then
4 benefits shall be conserved in accordance with
5 paragraph (4) when a court order has been entered
6 expressly authorizing the DCFS Guardianship
7 Administrator to serve as the designated
8 representative to establish an ABLE account on behalf
9 of a youth, ~~when a court order has been entered~~
10 ~~expressly allowing the Department to have the~~
11 ~~authority to establish and serve as an authorized~~
12 ~~agent of the youth over the age of 18 with respect to~~
13 ~~an account established in accordance with paragraph~~
14 ~~(4).~~

15 (3) Exercise discretion in accordance with federal law
16 and in the best interests of the youth when making
17 decisions to use or conserve the youth's benefits that are
18 less than or not subject to asset or resource limits under
19 federal law, including using the benefits to address the
20 youth's special needs and conserving the benefits for the
21 youth's reasonably foreseeable future needs.

22 (4) Appropriately monitor any federal asset or
23 resource limits for the Supplemental Security Income
24 benefits and ensure that the youth's best interest is
25 served by using or conserving the benefits in a way that
26 avoids violating any federal asset or resource limits that

1 would affect the youth's eligibility to receive the
2 benefits, including, but not limited to:

3 ~~(A) applying to the Social Security Administration~~
4 ~~to establish a Plan to Achieve Self-Support (PASS)~~
5 ~~Account for the youth under the Social Security Act~~
6 ~~and determining whether it is in the best interest of~~
7 ~~the youth to conserve all or parts of the benefits in~~
8 ~~the PASS account;~~

9 ~~(B) establishing a 529 plan for the youth and~~
10 ~~conserving the youth's benefits in that account in a~~
11 ~~manner that appropriately avoids any federal asset or~~
12 ~~resource limits;~~

13 ~~(C) establishing an Individual Development Account~~
14 ~~for the youth and conserving the youth's benefits in~~
15 ~~that account in a manner that appropriately avoids any~~
16 ~~federal asset or resource limits;~~

17 (A) ~~(D)~~ establishing an ABLE account authorized by
18 Section 529A of the Internal Revenue Code of 1986, for
19 the youth and conserving the youth's benefits in that
20 account in a manner that appropriately avoids any
21 federal asset or resource limits;

22 ~~(E) establishing a Social Security Plan to Achieve~~
23 ~~Self-Support account for the youth and conserving the~~
24 ~~youth's benefits in a manner that appropriately avoids~~
25 ~~any federal asset or resource limits;~~

26 ~~(F) establishing a special needs trust for the~~

1 ~~youth and conserving the youth's benefits in the trust~~
2 ~~in a manner that is consistent with federal~~
3 ~~requirements for special needs trusts and that~~
4 ~~appropriately avoids any federal asset or resource~~
5 ~~limits;~~

6 (B) ~~(G)~~ if the Department determines that using
7 the benefits for services for current special needs
8 not already provided by the Department is in the best
9 interest of the youth, using the benefits for those
10 services;

11 (C) ~~(H)~~ if federal law requires certain back
12 payments of benefits to be placed in a dedicated
13 account, complying with the requirements for dedicated
14 accounts under 20 CFR 416.640(e); and

15 (D) ~~(I)~~ applying any other exclusions from federal
16 asset or resource limits available under federal law
17 and using or conserving the youth's benefits in a
18 manner that appropriately avoids any federal asset or
19 resource limits.

20 (e) By July 1, 2024, the Department shall provide a report
21 to the General Assembly regarding youth in care who receive
22 benefits who are not subject to this Act. The report shall
23 discuss a goal of expanding conservation of children's
24 benefits to all benefits of all children of any age for whom
25 the Department serves as representative payee. The report
26 shall include a description of any identified obstacles, steps

1 to be taken to address the obstacles, and a description of any
2 need for statutory, rule, or procedural changes.

3 (f) (1) Accounting.

4 (A) Beginning on the effective date of this amendatory
5 Act of the 103rd General Assembly through December 31,
6 2024, upon request of the youth's attorney or guardian ad
7 litem, the ~~The~~ Department shall provide an annual
8 accounting to the youth's attorney and guardian ad litem
9 of how the youth's benefits have been used and conserved.

10 (B) Beginning January 1, 2025 and every year
11 thereafter, an annual accounting of how the youth's
12 benefits have been used and conserved shall be provided
13 automatically to the youth's attorney and guardian ad
14 litem.

15 (C) In addition, within 10 business days of a request
16 from a youth or the youth's attorney and guardian ad
17 litem, the Department shall provide an accounting to the
18 youth of how the youth's benefits have been used and
19 conserved.

20 (2) The accounting shall include:

21 (A) ~~(1)~~ The amount of benefits received on the
22 youth's behalf since the most recent accounting and
23 the date the benefits were received.

24 (B) ~~(2)~~ Information regarding the youth's benefits
25 and resources, including the youth's benefits,
26 insurance, cash assets, trust accounts, earnings, and

1 other resources.

2 (C) ~~(3)~~ An accounting of the disbursement of
3 benefit funds, including the date, amount,
4 identification of payee, and purpose.

5 (D) ~~(4)~~ Information regarding each request by the
6 youth, the youth's attorney and guardian ad litem, or
7 the youth's caregiver for disbursement of funds and a
8 statement regarding the reason for not granting the
9 request if the request was denied.

10 When the Department's guardianship of the youth is being
11 terminated, prior to or upon the termination of guardianship,
12 the Department shall provide (i) a final accounting to the
13 ~~Social Security Administration, to the~~ youth's attorney and
14 guardian ad litem, and to either the person or persons who will
15 assume guardianship of the youth or who is in the process of
16 adopting the youth, if the youth is under 18, or to the youth,
17 if the youth is over 18 and (ii) information to the parent,
18 guardian, or youth regarding how to apply to become the
19 designated representative for the youth's ABLE account payee.
20 ~~The Department shall adopt rules to ensure that the~~
21 ~~representative payee transitions occur in a timely and~~
22 ~~appropriate manner.~~

23 (g) Education Financial literacy. The Department shall
24 provide the youth who have funds conserved under paragraphs
25 (1) and (2) of subsection (d) with education ~~with financial~~
26 ~~literacy training~~ and support, including specific information

1 regarding the existence, availability, and use of funds
2 conserved for the youth in accordance with paragraphs (1) and
3 (2) of subsection (d) ~~this subsection~~, beginning by age 14 in a
4 developmentally appropriate manner. The education literacy
5 program and support services shall be developed in
6 consultation with input from the Department's Statewide Youth
7 Advisory Board. Education and informational materials related
8 to ABLE accounts shall be developed in consultation with and
9 approved by the State Treasurer.

10 (h) Adoption of rules. The Department shall adopt rules to
11 implement the provisions of this Section by January 1, 2024
12 2023.

13 (i) Reporting. No later than February 28, 2023, the
14 Department shall file a report with the General Assembly
15 providing the following information for State Fiscal Years
16 2019, 2020, 2021, and 2022 and annually beginning February 28,
17 2023, for the preceding fiscal year:

18 (1) The number of youth entering care.

19 (2) The number of youth entering care receiving each
20 of the following types of benefits: Social Security
21 benefits, Supplemental Security Income, Veterans benefits,
22 Railroad Retirement benefits.

23 (3) The number of youth entering care for whom the
24 Department filed an application for each of the following
25 types of benefits: Social Security benefits, Supplemental
26 Security Income, Veterans benefits, Railroad Retirement

1 benefits.

2 (4) The number of youth entering care who were awarded
3 each of the following types of benefits based on an
4 application filed by the Department: Social Security
5 benefits, Supplemental Security Income, Veterans benefits,
6 Railroad Retirement benefits.

7 (j) Annually beginning December 31, 2023, the Department
8 shall file a report with the General Assembly with the
9 following information regarding the preceding fiscal year:

10 (1) the number of conserved accounts established and
11 maintained for youth in care;

12 (2) the average amount conserved by age group; and

13 (3) the total amount conserved by age group.

14 (Source: P.A. 102-1014, eff. 5-27-22; 103-154, eff. 6-30-23.)

15 Section 15. The Illinois State Police Law of the Civil
16 Administrative Code of Illinois is amended by changing Section
17 2605-10 as follows:

18 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

19 (Text of Section before amendment by P.A. 103-34)

20 Sec. 2605-10. Powers and duties, generally.

21 (a) The Illinois State Police shall exercise the rights,
22 powers, and duties that have been vested in the Illinois State
23 Police by the following:

24 The Illinois State Police Act.

1 The Illinois State Police Radio Act.
2 The Criminal Identification Act.
3 The Illinois Vehicle Code.
4 The Firearm Owners Identification Card Act.
5 The Firearm Concealed Carry Act.
6 The Gun Dealer Licensing Act.
7 The Intergovernmental Missing Child Recovery Act of
8 1984.
9 The Intergovernmental Drug Laws Enforcement Act.
10 The Narcotic Control Division Abolition Act.

11 (b) The Illinois State Police shall have the powers and
12 duties set forth in the following Sections.

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

14 (Text of Section after amendment by P.A. 103-34)
15 Sec. 2605-10. Powers and duties, generally.

16 (a) The Illinois State Police shall exercise the rights,
17 powers, and duties that have been vested in the Illinois State
18 Police by the following:

19 The Illinois State Police Act.
20 The Illinois State Police Radio Act.
21 The Criminal Identification Act.
22 The Illinois Vehicle Code.
23 The Firearm Owners Identification Card Act.
24 The Firearm Concealed Carry Act.
25 The Firearm Dealer License Certification Act.

1 The Intergovernmental Missing Child Recovery Act of
2 1984.

3 The Intergovernmental Drug Laws Enforcement Act.

4 The Narcotic Control Division Abolition Act.

5 The Illinois Uniform Conviction Information Act.

6 The Murderer and Violent Offender Against Youth
7 Registration Act.

8 (b) The Illinois State Police shall have the powers and
9 duties set forth in the following Sections.

10 (c) The Illinois State Police shall exercise the rights,
11 powers, and duties vested in the Illinois State Police to
12 implement the following protective service functions for State
13 facilities, State officials, and State employees serving in
14 their official capacity:

15 (1) Utilize subject matter expertise and law
16 enforcement authority to strengthen the protection of
17 State government facilities, State employees, State
18 officials, and State critical infrastructure.

19 (2) Coordinate State, federal, and local law
20 enforcement activities involving the protection of State
21 facilities, officials, and employees.

22 (3) Conduct investigations of criminal threats to
23 State facilities, State critical infrastructure, State
24 officials, and State employees.

25 (4) Train State officials and employees in personal
26 protection, crime prevention, facility occupant emergency

1 planning, and incident management.

2 (5) Establish standard protocols for prevention and
3 response to criminal threats to State facilities, State
4 officials, State employees, and State critical
5 infrastructure, and standard protocols for reporting of
6 suspicious activities.

7 (6) Establish minimum operational standards,
8 qualifications, training, and compliance requirements for
9 State employees and contractors engaged in the protection
10 of State facilities and employees.

11 (7) At the request of departments or agencies of State
12 government, conduct security assessments, including, but
13 not limited to, examination of alarm systems, cameras
14 systems, access points, personnel readiness, and emergency
15 protocols based on risk and need.

16 (8) Oversee the planning and implementation of
17 security and law enforcement activities necessary for the
18 protection of major, multi-jurisdictional events
19 implicating potential criminal threats to State officials,
20 State employees, or State-owned, State-leased, or
21 State-operated critical infrastructure or facilities.

22 (9) Oversee and direct the planning and implementation
23 of security and law enforcement activities by the
24 departments and agencies of the State necessary for the
25 protection of State employees, State officials, and
26 State-owned, State-leased, or State-operated critical

1 infrastructure or facilities from criminal activity.

2 (10) Advise the Governor and Homeland Security Advisor
3 on any matters necessary for the effective protection of
4 State facilities, critical infrastructure, officials, and
5 employees from criminal threats.

6 (11) Utilize intergovernmental agreements and
7 administrative rules as needed for the effective,
8 efficient implementation of law enforcement and support
9 activities necessary for the protection of State
10 facilities, State infrastructure, State employees, and,
11 upon the express written consent of State constitutional
12 officials, State constitutional officials, ~~and State~~
13 ~~employees.~~

14 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24;
15 revised 9-25-23.)

16 Section 20. The Alternative Protein Innovation Task Force
17 Act is amended by changing Sections 15 and 20 as follows:

18 (20 ILCS 4128/15)

19 Sec. 15. Membership; appointments; meeting.

20 (a) The Alternative Protein Innovation Task Force shall
21 consist of the following members:

22 (1) one member of the Senate, who shall be appointed
23 by the President of the Senate and shall serve as co-chair
24 of the Task Force;

1 (2) one member of the Senate, who shall be appointed
2 by the Minority Leader of the Senate;

3 (3) one member of the House of Representatives, who
4 shall be appointed by the Speaker of the House of
5 Representatives and shall serve as co-chair of the Task
6 Force;

7 (4) one member of the House of Representatives, who
8 shall be appointed by the Minority Leader of the House of
9 Representatives;

10 (5) the Director ~~Secretary~~ of Commerce and Economic
11 Opportunity or the Director's ~~Secretary's~~ designee;

12 (6) the Director of Agriculture or the Director's
13 designee;

14 (7) 5 members who are appointed by the Director of
15 Agriculture. Of the members appointed by the Director of
16 Agriculture, 3 members shall be commercial producers of
17 agricultural commodities, of which one member shall be
18 from the largest statewide agricultural association; and 2
19 members shall be representatives from the University of
20 Illinois College of Agricultural, Consumer and
21 Environmental Sciences engaged in nutritional research;
22 and

23 (8) 6 members who are appointed by the Governor. Of
24 the members appointed by the Governor, 2 members shall be
25 engaged in academic or scientific research on alternative
26 protein development at a State college or university; one

1 member shall be a representative of a nonprofit
2 organization dedicated to the development and
3 accessibility of alternative proteins; one member shall be
4 a representative of the State's agricultural biotechnology
5 industry; one member shall be the president of the
6 Illinois Biotechnology Industry Organization or the
7 organization's designee; and one member shall be a
8 representative from a multinational food processing and
9 manufacturing corporation headquartered in this State.

10 (b) Members of the Task Force shall not receive
11 compensation for their services to the Task Force.

12 (c) All appointments shall be made not later than 30 days
13 after the effective date of this Act.

14 (d) The co-chairs of the Task Force shall schedule no
15 fewer than 4 meetings of the Task Force, including not less
16 than one public hearing. The co-chairs shall convene the first
17 meeting of the Task Force within 60 days after the effective
18 date of this Act.

19 (e) The Department of Agriculture shall provide
20 administrative and other support to the Task Force.

21 (Source: P.A. 103-543, eff. 8-11-23; revised 10-19-23.)

22 (20 ILCS 4128/20)

23 Sec. 20. Report; dissolution of Task Force; repeal of Act.

24 (a)The Task Force shall submit a report of its findings
25 and recommendations to the General Assembly no later than June

1 30, 2024 ~~December 31, 2023~~.

2 (b) The Task Force shall be dissolved on December 31,
3 2024.

4 (c) This Act is repealed on January 1, 2025.

5 (Source: P.A. 103-543, eff. 8-11-23.)

6 Section 25. The Illinois Procurement Code is amended by
7 changing Section 20-10 as follows:

8 (30 ILCS 500/20-10)

9 (Text of Section before amendment by P.A. 103-558)

10 (Text of Section from P.A. 96-159, 96-588, 97-96, 97-895,
11 98-1076, 99-906, 100-43, 101-31, 101-657, and 102-29)

12 Sec. 20-10. Competitive sealed bidding; reverse auction.

13 (a) Conditions for use. All contracts shall be awarded by
14 competitive sealed bidding except as otherwise provided in
15 Section 20-5.

16 (b) Invitation for bids. An invitation for bids shall be
17 issued and shall include a purchase description and the
18 material contractual terms and conditions applicable to the
19 procurement.

20 (c) Public notice. Public notice of the invitation for
21 bids shall be published in the Illinois Procurement Bulletin
22 at least 14 calendar days before the date set in the invitation
23 for the opening of bids.

24 (d) Bid opening. Bids shall be opened publicly or through

1 an electronic procurement system in the presence of one or
2 more witnesses at the time and place designated in the
3 invitation for bids. The name of each bidder, including earned
4 and applied bid credit from the Illinois Works Jobs Program
5 Act, the amount of each bid, and other relevant information as
6 may be specified by rule shall be recorded. After the award of
7 the contract, the winning bid and the record of each
8 unsuccessful bid shall be open to public inspection.

9 (e) Bid acceptance and bid evaluation. Bids shall be
10 unconditionally accepted without alteration or correction,
11 except as authorized in this Code. Bids shall be evaluated
12 based on the requirements set forth in the invitation for
13 bids, which may include criteria to determine acceptability
14 such as inspection, testing, quality, workmanship, delivery,
15 and suitability for a particular purpose. Those criteria that
16 will affect the bid price and be considered in evaluation for
17 award, such as discounts, transportation costs, and total or
18 life cycle costs, shall be objectively measurable. The
19 invitation for bids shall set forth the evaluation criteria to
20 be used.

21 (f) Correction or withdrawal of bids. Correction or
22 withdrawal of inadvertently erroneous bids before or after
23 award, or cancellation of awards of contracts based on bid
24 mistakes, shall be permitted in accordance with rules. After
25 bid opening, no changes in bid prices or other provisions of
26 bids prejudicial to the interest of the State or fair

1 competition shall be permitted. All decisions to permit the
2 correction or withdrawal of bids based on bid mistakes shall
3 be supported by written determination made by a State
4 purchasing officer.

5 (g) Award. The contract shall be awarded with reasonable
6 promptness by written notice to the lowest responsible and
7 responsive bidder whose bid meets the requirements and
8 criteria set forth in the invitation for bids, except when a
9 State purchasing officer determines it is not in the best
10 interest of the State and by written explanation determines
11 another bidder shall receive the award. The explanation shall
12 appear in the appropriate volume of the Illinois Procurement
13 Bulletin. The written explanation must include:

- 14 (1) a description of the agency's needs;
- 15 (2) a determination that the anticipated cost will be
16 fair and reasonable;
- 17 (3) a listing of all responsible and responsive
18 bidders; and
- 19 (4) the name of the bidder selected, the total
20 contract price, and the reasons for selecting that bidder.

21 Each chief procurement officer may adopt guidelines to
22 implement the requirements of this subsection (g).

23 The written explanation shall be filed with the
24 Legislative Audit Commission, and the Commission on Equity and
25 Inclusion, and the Procurement Policy Board, and be made
26 available for inspection by the public, within 14 calendar

1 days after the agency's decision to award the contract.

2 (h) Multi-step sealed bidding. When it is considered
3 impracticable to initially prepare a purchase description to
4 support an award based on price, an invitation for bids may be
5 issued requesting the submission of unpriced offers to be
6 followed by an invitation for bids limited to those bidders
7 whose offers have been qualified under the criteria set forth
8 in the first solicitation.

9 (i) Alternative procedures. Notwithstanding any other
10 provision of this Act to the contrary, the Director of the
11 Illinois Power Agency may create alternative bidding
12 procedures to be used in procuring professional services under
13 Section 1-56, subsections (a) and (c) of Section 1-75 and
14 subsection (d) of Section 1-78 of the Illinois Power Agency
15 Act and Section 16-111.5(c) of the Public Utilities Act and to
16 procure renewable energy resources under Section 1-56 of the
17 Illinois Power Agency Act. These alternative procedures shall
18 be set forth together with the other criteria contained in the
19 invitation for bids, and shall appear in the appropriate
20 volume of the Illinois Procurement Bulletin.

21 (j) Reverse auction. Notwithstanding any other provision
22 of this Section and in accordance with rules adopted by the
23 chief procurement officer, that chief procurement officer may
24 procure supplies or services through a competitive electronic
25 auction bidding process after the chief procurement officer
26 determines that the use of such a process will be in the best

1 interest of the State. The chief procurement officer shall
2 publish that determination in his or her next volume of the
3 Illinois Procurement Bulletin.

4 An invitation for bids shall be issued and shall include
5 (i) a procurement description, (ii) all contractual terms,
6 whenever practical, and (iii) conditions applicable to the
7 procurement, including a notice that bids will be received in
8 an electronic auction manner.

9 Public notice of the invitation for bids shall be given in
10 the same manner as provided in subsection (c).

11 Bids shall be accepted electronically at the time and in
12 the manner designated in the invitation for bids. During the
13 auction, a bidder's price shall be disclosed to other bidders.
14 Bidders shall have the opportunity to reduce their bid prices
15 during the auction. At the conclusion of the auction, the
16 record of the bid prices received and the name of each bidder
17 shall be open to public inspection.

18 After the auction period has terminated, withdrawal of
19 bids shall be permitted as provided in subsection (f).

20 The contract shall be awarded within 60 calendar days
21 after the auction by written notice to the lowest responsible
22 bidder, or all bids shall be rejected except as otherwise
23 provided in this Code. Extensions of the date for the award may
24 be made by mutual written consent of the State purchasing
25 officer and the lowest responsible bidder.

26 This subsection does not apply to (i) procurements of

1 professional and artistic services, (ii) telecommunications
2 services, communication services, and information services,
3 and (iii) contracts for construction projects, including
4 design professional services.

5 (Source: P.A. 101-31, eff. 6-28-19; 101-657, eff. 1-1-22;
6 102-29, eff. 6-25-21.)

7 (Text of Section from P.A. 96-159, 96-795, 97-96, 97-895,
8 98-1076, 99-906, 100-43, 101-31, 101-657, and 102-29)

9 Sec. 20-10. Competitive sealed bidding; reverse auction.

10 (a) Conditions for use. All contracts shall be awarded by
11 competitive sealed bidding except as otherwise provided in
12 Section 20-5.

13 (b) Invitation for bids. An invitation for bids shall be
14 issued and shall include a purchase description and the
15 material contractual terms and conditions applicable to the
16 procurement.

17 (c) Public notice. Public notice of the invitation for
18 bids shall be published in the Illinois Procurement Bulletin
19 at least 14 calendar days before the date set in the invitation
20 for the opening of bids.

21 (d) Bid opening. Bids shall be opened publicly or through
22 an electronic procurement system in the presence of one or
23 more witnesses at the time and place designated in the
24 invitation for bids. The name of each bidder, including earned
25 and applied bid credit from the Illinois Works Jobs Program

1 Act, the amount of each bid, and other relevant information as
2 may be specified by rule shall be recorded. After the award of
3 the contract, the winning bid and the record of each
4 unsuccessful bid shall be open to public inspection.

5 (e) Bid acceptance and bid evaluation. Bids shall be
6 unconditionally accepted without alteration or correction,
7 except as authorized in this Code. Bids shall be evaluated
8 based on the requirements set forth in the invitation for
9 bids, which may include criteria to determine acceptability
10 such as inspection, testing, quality, workmanship, delivery,
11 and suitability for a particular purpose. Those criteria that
12 will affect the bid price and be considered in evaluation for
13 award, such as discounts, transportation costs, and total or
14 life cycle costs, shall be objectively measurable. The
15 invitation for bids shall set forth the evaluation criteria to
16 be used.

17 (f) Correction or withdrawal of bids. Correction or
18 withdrawal of inadvertently erroneous bids before or after
19 award, or cancellation of awards of contracts based on bid
20 mistakes, shall be permitted in accordance with rules. After
21 bid opening, no changes in bid prices or other provisions of
22 bids prejudicial to the interest of the State or fair
23 competition shall be permitted. All decisions to permit the
24 correction or withdrawal of bids based on bid mistakes shall
25 be supported by written determination made by a State
26 purchasing officer.

1 (g) Award. The contract shall be awarded with reasonable
2 promptness by written notice to the lowest responsible and
3 responsive bidder whose bid meets the requirements and
4 criteria set forth in the invitation for bids, except when a
5 State purchasing officer determines it is not in the best
6 interest of the State and by written explanation determines
7 another bidder shall receive the award. The explanation shall
8 appear in the appropriate volume of the Illinois Procurement
9 Bulletin. The written explanation must include:

10 (1) a description of the agency's needs;

11 (2) a determination that the anticipated cost will be
12 fair and reasonable;

13 (3) a listing of all responsible and responsive
14 bidders; and

15 (4) the name of the bidder selected, the total
16 contract price, and the reasons for selecting that bidder.

17 Each chief procurement officer may adopt guidelines to
18 implement the requirements of this subsection (g).

19 The written explanation shall be filed with the
20 Legislative Audit Commission, and the Commission on Equity and
21 Inclusion, and the Procurement Policy Board, and be made
22 available for inspection by the public, within 14 days after
23 the agency's decision to award the contract.

24 (h) Multi-step sealed bidding. When it is considered
25 impracticable to initially prepare a purchase description to
26 support an award based on price, an invitation for bids may be

1 issued requesting the submission of unpriced offers to be
2 followed by an invitation for bids limited to those bidders
3 whose offers have been qualified under the criteria set forth
4 in the first solicitation.

5 (i) Alternative procedures. Notwithstanding any other
6 provision of this Act to the contrary, the Director of the
7 Illinois Power Agency may create alternative bidding
8 procedures to be used in procuring professional services under
9 subsections (a) and (c) of Section 1-75 and subsection (d) of
10 Section 1-78 of the Illinois Power Agency Act and Section
11 16-111.5(c) of the Public Utilities Act and to procure
12 renewable energy resources under Section 1-56 of the Illinois
13 Power Agency Act. These alternative procedures shall be set
14 forth together with the other criteria contained in the
15 invitation for bids, and shall appear in the appropriate
16 volume of the Illinois Procurement Bulletin.

17 (j) Reverse auction. Notwithstanding any other provision
18 of this Section and in accordance with rules adopted by the
19 chief procurement officer, that chief procurement officer may
20 procure supplies or services through a competitive electronic
21 auction bidding process after the chief procurement officer
22 determines that the use of such a process will be in the best
23 interest of the State. The chief procurement officer shall
24 publish that determination in his or her next volume of the
25 Illinois Procurement Bulletin.

26 An invitation for bids shall be issued and shall include

1 (i) a procurement description, (ii) all contractual terms,
2 whenever practical, and (iii) conditions applicable to the
3 procurement, including a notice that bids will be received in
4 an electronic auction manner.

5 Public notice of the invitation for bids shall be given in
6 the same manner as provided in subsection (c).

7 Bids shall be accepted electronically at the time and in
8 the manner designated in the invitation for bids. During the
9 auction, a bidder's price shall be disclosed to other bidders.
10 Bidders shall have the opportunity to reduce their bid prices
11 during the auction. At the conclusion of the auction, the
12 record of the bid prices received and the name of each bidder
13 shall be open to public inspection.

14 After the auction period has terminated, withdrawal of
15 bids shall be permitted as provided in subsection (f).

16 The contract shall be awarded within 60 calendar days
17 after the auction by written notice to the lowest responsible
18 bidder, or all bids shall be rejected except as otherwise
19 provided in this Code. Extensions of the date for the award may
20 be made by mutual written consent of the State purchasing
21 officer and the lowest responsible bidder.

22 This subsection does not apply to (i) procurements of
23 professional and artistic services, (ii) telecommunications
24 services, communication services, and information services,
25 and (iii) contracts for construction projects, including
26 design professional services.

1 (Source: P.A. 101-31, eff. 6-28-19; 101-657, eff. 1-1-22;
2 102-29, eff. 6-25-21.)

3 (Text of Section after amendment by P.A. 103-558)

4 (Text of Section from P.A. 96-159, 96-588, 97-96, 97-895,
5 98-1076, 99-906, 100-43, 101-31, 101-657, 102-29, and 103-558)

6 Sec. 20-10. Competitive sealed bidding; reverse auction.

7 (a) Conditions for use. All contracts shall be awarded by
8 competitive sealed bidding except as otherwise provided in
9 Section 20-5.

10 (b) Invitation for bids. An invitation for bids shall be
11 issued and shall include a purchase description and the
12 material contractual terms and conditions applicable to the
13 procurement.

14 (c) Public notice. Public notice of the invitation for
15 bids shall be published in the Illinois Procurement Bulletin
16 at least 14 calendar days before the date set in the invitation
17 for the opening of bids.

18 (d) Bid opening. Bids shall be opened publicly or through
19 an electronic procurement system in the presence of one or
20 more witnesses at the time and place designated in the
21 invitation for bids. The name of each bidder, including earned
22 and applied bid credit from the Illinois Works Jobs Program
23 Act, the amount of each bid, and other relevant information as
24 may be specified by rule shall be recorded. After the award of
25 the contract, the winning bid and the record of each

1 unsuccessful bid shall be open to public inspection.

2 (e) Bid acceptance and bid evaluation. Bids shall be
3 unconditionally accepted without alteration or correction,
4 except as authorized in this Code. Bids shall be evaluated
5 based on the requirements set forth in the invitation for
6 bids, which may include criteria to determine acceptability
7 such as inspection, testing, quality, workmanship, delivery,
8 and suitability for a particular purpose. Those criteria that
9 will affect the bid price and be considered in evaluation for
10 award, such as discounts, transportation costs, and total or
11 life cycle costs, shall be objectively measurable. The
12 invitation for bids shall set forth the evaluation criteria to
13 be used.

14 (f) Correction or withdrawal of bids. Correction or
15 withdrawal of inadvertently erroneous bids before or after
16 award, or cancellation of awards of contracts based on bid
17 mistakes, shall be permitted in accordance with rules. After
18 bid opening, no changes in bid prices or other provisions of
19 bids prejudicial to the interest of the State or fair
20 competition shall be permitted. All decisions to permit the
21 correction or withdrawal of bids based on bid mistakes shall
22 be supported by written determination made by a State
23 purchasing officer.

24 (g) Award. The contract shall be awarded with reasonable
25 promptness by written notice to the lowest responsible and
26 responsive bidder whose bid meets the requirements and

1 criteria set forth in the invitation for bids, except when a
2 State purchasing officer determines it is not in the best
3 interest of the State and by written explanation determines
4 another bidder shall receive the award. The explanation shall
5 appear in the appropriate volume of the Illinois Procurement
6 Bulletin. The written explanation must include:

7 (1) a description of the agency's needs;

8 (2) a determination that the anticipated cost will be
9 fair and reasonable;

10 (3) a listing of all responsible and responsive
11 bidders; and

12 (4) the name of the bidder selected, the total
13 contract price, and the reasons for selecting that bidder.

14 Each chief procurement officer may adopt guidelines to
15 implement the requirements of this subsection (g).

16 The written explanation shall be filed with the
17 Legislative Audit Commission, and the Commission on Equity and
18 Inclusion, and the Procurement Policy Board, and be made
19 available for inspection by the public, within 14 calendar
20 days after the agency's decision to award the contract.

21 (g-5) Failed bid notice. In addition to the requirements
22 of subsection (g), if a bidder has failed to be awarded a
23 contract after 4 consecutive bids to provide the same services
24 to the Department of Transportation, the Capital Development
25 Board, or the Illinois State Toll Highway Authority, the
26 applicable agency shall, in writing, detail why each of the 4

1 bids was not awarded to the bidder. The applicable agency
2 shall submit by certified copy to the bidder the reason or
3 reasons why each of the 4 bids was not awarded to the bidder.
4 The agency shall submit that certified copy to the bidder
5 within the same calendar quarter in which the fourth bid was
6 rejected. This subsection does not apply if information
7 pertaining to a failed bid was previously disclosed to a
8 bidder by electronic means. If any agency chooses to provide
9 information by electronic means, the agency shall have a
10 written policy outlining how the agency will reasonably ensure
11 the bidder receives the information. For the purposes of this
12 subsection, "electronic means" means an email communication
13 from the applicable agency to the bidder or a public posting on
14 the applicable agency's procurement bulletin.

15 (h) Multi-step sealed bidding. When it is considered
16 impracticable to initially prepare a purchase description to
17 support an award based on price, an invitation for bids may be
18 issued requesting the submission of unpriced offers to be
19 followed by an invitation for bids limited to those bidders
20 whose offers have been qualified under the criteria set forth
21 in the first solicitation.

22 (i) Alternative procedures. Notwithstanding any other
23 provision of this Act to the contrary, the Director of the
24 Illinois Power Agency may create alternative bidding
25 procedures to be used in procuring professional services under
26 Section 1-56, subsections (a) and (c) of Section 1-75 and

1 subsection (d) of Section 1-78 of the Illinois Power Agency
2 Act and Section 16-111.5(c) of the Public Utilities Act and to
3 procure renewable energy resources under Section 1-56 of the
4 Illinois Power Agency Act. These alternative procedures shall
5 be set forth together with the other criteria contained in the
6 invitation for bids, and shall appear in the appropriate
7 volume of the Illinois Procurement Bulletin.

8 (j) Reverse auction. Notwithstanding any other provision
9 of this Section and in accordance with rules adopted by the
10 chief procurement officer, that chief procurement officer may
11 procure supplies or services through a competitive electronic
12 auction bidding process after the chief procurement officer
13 determines that the use of such a process will be in the best
14 interest of the State. The chief procurement officer shall
15 publish that determination in his or her next volume of the
16 Illinois Procurement Bulletin.

17 An invitation for bids shall be issued and shall include
18 (i) a procurement description, (ii) all contractual terms,
19 whenever practical, and (iii) conditions applicable to the
20 procurement, including a notice that bids will be received in
21 an electronic auction manner.

22 Public notice of the invitation for bids shall be given in
23 the same manner as provided in subsection (c).

24 Bids shall be accepted electronically at the time and in
25 the manner designated in the invitation for bids. During the
26 auction, a bidder's price shall be disclosed to other bidders.

1 Bidders shall have the opportunity to reduce their bid prices
2 during the auction. At the conclusion of the auction, the
3 record of the bid prices received and the name of each bidder
4 shall be open to public inspection.

5 After the auction period has terminated, withdrawal of
6 bids shall be permitted as provided in subsection (f).

7 The contract shall be awarded within 60 calendar days
8 after the auction by written notice to the lowest responsible
9 bidder, or all bids shall be rejected except as otherwise
10 provided in this Code. Extensions of the date for the award may
11 be made by mutual written consent of the State purchasing
12 officer and the lowest responsible bidder.

13 This subsection does not apply to (i) procurements of
14 professional and artistic services, (ii) telecommunications
15 services, communication services, and information services,
16 and (iii) contracts for construction projects, including
17 design professional services.

18 (Source: P.A. 102-29, eff. 6-25-21; 103-558, eff. 1-1-24.)

19 (Text of Section from P.A. 96-159, 96-795, 97-96, 97-895,
20 98-1076, 99-906, 100-43, 101-31, 101-657, 102-29, and 103-558)

21 Sec. 20-10. Competitive sealed bidding; reverse auction.

22 (a) Conditions for use. All contracts shall be awarded by
23 competitive sealed bidding except as otherwise provided in
24 Section 20-5.

25 (b) Invitation for bids. An invitation for bids shall be

1 issued and shall include a purchase description and the
2 material contractual terms and conditions applicable to the
3 procurement.

4 (c) Public notice. Public notice of the invitation for
5 bids shall be published in the Illinois Procurement Bulletin
6 at least 14 calendar days before the date set in the invitation
7 for the opening of bids.

8 (d) Bid opening. Bids shall be opened publicly or through
9 an electronic procurement system in the presence of one or
10 more witnesses at the time and place designated in the
11 invitation for bids. The name of each bidder, including earned
12 and applied bid credit from the Illinois Works Jobs Program
13 Act, the amount of each bid, and other relevant information as
14 may be specified by rule shall be recorded. After the award of
15 the contract, the winning bid and the record of each
16 unsuccessful bid shall be open to public inspection.

17 (e) Bid acceptance and bid evaluation. Bids shall be
18 unconditionally accepted without alteration or correction,
19 except as authorized in this Code. Bids shall be evaluated
20 based on the requirements set forth in the invitation for
21 bids, which may include criteria to determine acceptability
22 such as inspection, testing, quality, workmanship, delivery,
23 and suitability for a particular purpose. Those criteria that
24 will affect the bid price and be considered in evaluation for
25 award, such as discounts, transportation costs, and total or
26 life cycle costs, shall be objectively measurable. The

1 invitation for bids shall set forth the evaluation criteria to
2 be used.

3 (f) Correction or withdrawal of bids. Correction or
4 withdrawal of inadvertently erroneous bids before or after
5 award, or cancellation of awards of contracts based on bid
6 mistakes, shall be permitted in accordance with rules. After
7 bid opening, no changes in bid prices or other provisions of
8 bids prejudicial to the interest of the State or fair
9 competition shall be permitted. All decisions to permit the
10 correction or withdrawal of bids based on bid mistakes shall
11 be supported by written determination made by a State
12 purchasing officer.

13 (g) Award. The contract shall be awarded with reasonable
14 promptness by written notice to the lowest responsible and
15 responsive bidder whose bid meets the requirements and
16 criteria set forth in the invitation for bids, except when a
17 State purchasing officer determines it is not in the best
18 interest of the State and by written explanation determines
19 another bidder shall receive the award. The explanation shall
20 appear in the appropriate volume of the Illinois Procurement
21 Bulletin. The written explanation must include:

22 (1) a description of the agency's needs;

23 (2) a determination that the anticipated cost will be
24 fair and reasonable;

25 (3) a listing of all responsible and responsive
26 bidders; and

1 (4) the name of the bidder selected, the total
2 contract price, and the reasons for selecting that bidder.

3 Each chief procurement officer may adopt guidelines to
4 implement the requirements of this subsection (g).

5 The written explanation shall be filed with the
6 Legislative Audit Commission, and the Commission on Equity and
7 Inclusion, and the Procurement Policy Board, and be made
8 available for inspection by the public, within 14 days after
9 the agency's decision to award the contract.

10 (g-5) Failed bid notice. In addition to the requirements
11 of subsection (g), if a bidder has failed to be awarded a
12 contract after 4 consecutive bids to provide the same services
13 to the Department of Transportation, the Capital Development
14 Board, or the Illinois State Toll Highway Authority, the
15 applicable agency shall, in writing, detail why each of the 4
16 bids was not awarded to the bidder. The applicable agency
17 shall submit by certified copy to the bidder the reason or
18 reasons why each of the 4 bids was not awarded to the bidder.
19 The agency shall submit that certified copy to the bidder
20 within the same calendar quarter in which the fourth bid was
21 rejected. This subsection does not apply if information
22 pertaining to a failed bid was previously disclosed to a
23 bidder by electronic means. If any agency chooses to provide
24 information by electronic means, the agency shall have a
25 written policy outlining how the agency will reasonably ensure
26 the bidder receives the information. For the purposes of this

1 subsection, "electronic means" means an email communication
2 from the applicable agency to the bidder or a public posting on
3 the applicable agency's procurement bulletin.

4 (h) Multi-step sealed bidding. When it is considered
5 impracticable to initially prepare a purchase description to
6 support an award based on price, an invitation for bids may be
7 issued requesting the submission of unpriced offers to be
8 followed by an invitation for bids limited to those bidders
9 whose offers have been qualified under the criteria set forth
10 in the first solicitation.

11 (i) Alternative procedures. Notwithstanding any other
12 provision of this Act to the contrary, the Director of the
13 Illinois Power Agency may create alternative bidding
14 procedures to be used in procuring professional services under
15 subsections (a) and (c) of Section 1-75 and subsection (d) of
16 Section 1-78 of the Illinois Power Agency Act and Section
17 16-111.5(c) of the Public Utilities Act and to procure
18 renewable energy resources under Section 1-56 of the Illinois
19 Power Agency Act. These alternative procedures shall be set
20 forth together with the other criteria contained in the
21 invitation for bids, and shall appear in the appropriate
22 volume of the Illinois Procurement Bulletin.

23 (j) Reverse auction. Notwithstanding any other provision
24 of this Section and in accordance with rules adopted by the
25 chief procurement officer, that chief procurement officer may
26 procure supplies or services through a competitive electronic

1 auction bidding process after the chief procurement officer
2 determines that the use of such a process will be in the best
3 interest of the State. The chief procurement officer shall
4 publish that determination in his or her next volume of the
5 Illinois Procurement Bulletin.

6 An invitation for bids shall be issued and shall include
7 (i) a procurement description, (ii) all contractual terms,
8 whenever practical, and (iii) conditions applicable to the
9 procurement, including a notice that bids will be received in
10 an electronic auction manner.

11 Public notice of the invitation for bids shall be given in
12 the same manner as provided in subsection (c).

13 Bids shall be accepted electronically at the time and in
14 the manner designated in the invitation for bids. During the
15 auction, a bidder's price shall be disclosed to other bidders.
16 Bidders shall have the opportunity to reduce their bid prices
17 during the auction. At the conclusion of the auction, the
18 record of the bid prices received and the name of each bidder
19 shall be open to public inspection.

20 After the auction period has terminated, withdrawal of
21 bids shall be permitted as provided in subsection (f).

22 The contract shall be awarded within 60 calendar days
23 after the auction by written notice to the lowest responsible
24 bidder, or all bids shall be rejected except as otherwise
25 provided in this Code. Extensions of the date for the award may
26 be made by mutual written consent of the State purchasing

1 officer and the lowest responsible bidder.

2 This subsection does not apply to (i) procurements of
3 professional and artistic services, (ii) telecommunications
4 services, communication services, and information services,
5 and (iii) contracts for construction projects, including
6 design professional services.

7 (Source: P.A. 102-29, eff. 6-25-21; 103-558, eff. 1-1-24.)

8 Section 30. The Emergency Telephone System Act is amended
9 by changing Sections 19, 30, and 35 as follows:

10 (50 ILCS 750/19)

11 (Section scheduled to be repealed on December 31, 2025)

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

13 (a) Beginning July 1, 2015, there is created the Statewide
14 9-1-1 Advisory Board within the Illinois State Police. The
15 Board shall consist of the following voting members:

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

18 (2) The Executive Director of the Commission, or his
19 or her designee.

20 (3) Members appointed by the Governor as follows:

21 (A) one member representing the Illinois chapter
22 of the National Emergency Number Association, or his
23 or her designee;

24 (B) one member representing the Illinois chapter

1 of the Association of Public-Safety Communications
2 Officials, or his or her designee;

3 (C) one member representing a county 9-1-1 system
4 from a county with a population of less than 37,000;

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

8 (D) one member representing a county 9-1-1 system
9 from a county with a population between 100,001 and
10 250,000;

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

13 (F) one member representing a municipal or
14 intergovernmental cooperative 9-1-1 system, excluding
15 any single municipality with a population over
16 500,000;

17 (G) one member representing the Illinois
18 Association of Chiefs of Police;

19 (H) one member representing the Illinois Sheriffs'
20 Association; and

21 (I) one member representing the Illinois Fire
22 Chiefs Association.

23 The Governor shall appoint the following non-voting
24 members: (i) one member representing an incumbent local
25 exchange 9-1-1 system provider; (ii) one member representing a
26 non-incumbent local exchange 9-1-1 system provider; (iii) one

1 member representing a large wireless carrier; (iv) one member
2 representing an incumbent local exchange carrier; (v) one
3 member representing the Illinois Broadband and
4 Telecommunications Association; (vi) one member representing
5 the Illinois Broadband and Cable Association; and (vii) one
6 member representing the Illinois State Ambulance Association.
7 The Speaker of the House of Representatives, the Minority
8 Leader of the House of Representatives, the President of the
9 Senate, and the Minority Leader of the Senate may each appoint
10 a member of the General Assembly to temporarily serve as a
11 non-voting member of the Board during the 12 months prior to
12 the repeal date of this Act to discuss legislative initiatives
13 of the Board.

14 (b) The Governor shall make initial appointments to the
15 Statewide 9-1-1 Advisory Board by August 31, 2015. Six of the
16 voting members appointed by the Governor shall serve an
17 initial term of 2 years, and the remaining voting members
18 appointed by the Governor shall serve an initial term of 3
19 years. Thereafter, each appointment by the Governor shall be
20 for a term of 3 years and until their respective successors are
21 appointed. Non-voting members shall serve for a term of 3
22 years. Vacancies shall be filled in the same manner as the
23 original appointment. Persons appointed to fill a vacancy
24 shall serve for the balance of the unexpired term.

25 Members of the Statewide 9-1-1 Advisory Board shall serve
26 without compensation.

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

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

7 (1) advise the Illinois State Police and the Statewide
8 9-1-1 Administrator on the oversight of 9-1-1 systems and
9 the development and implementation of a uniform statewide
10 9-1-1 system;

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

14 (3) exercise all other powers and duties provided in
15 this Act.

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

20 (f) The Illinois State Police shall provide administrative
21 support to the Statewide 9-1-1 Advisory Board.

22 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;
23 102-813, eff. 5-13-22.)

24 (50 ILCS 750/30)

25 (Text of Section before amendment by P.A. 103-366)

1 (Section scheduled to be repealed on December 31, 2025)

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

3 (a) A special fund in the State treasury known as the
4 Wireless Service Emergency Fund shall be renamed the Statewide
5 9-1-1 Fund. Any appropriations made from the Wireless Service
6 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
7 The Fund shall consist of the following:

8 (1) 9-1-1 wireless surcharges assessed under the
9 Wireless Emergency Telephone Safety Act.

10 (2) 9-1-1 surcharges assessed under Section 20 of this
11 Act.

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

14 (4) Any appropriations, grants, or gifts made to the
15 Fund.

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

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

20 (b) Subject to appropriation and availability of funds,
21 the Illinois State Police shall distribute the 9-1-1
22 surcharges monthly as follows:

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

25 (A) \$0.013 shall be distributed monthly in equal
26 amounts to each County Emergency Telephone System

1 Board in counties with a population under 100,000
2 according to the most recent census data which is
3 authorized to serve as a primary wireless 9-1-1 public
4 safety answering point for the county and to provide
5 wireless 9-1-1 service as prescribed by subsection (b)
6 of Section 15.6a of this Act, and which does provide
7 such service.

8 (B) \$0.033 shall be transferred by the Comptroller
9 at the direction of the Illinois State Police to the
10 Wireless Carrier Reimbursement Fund until June 30,
11 2017; from July 1, 2017 through June 30, 2018, \$0.026
12 shall be transferred; from July 1, 2018 through June
13 30, 2019, \$0.020 shall be transferred; from July 1,
14 2019, through June 30, 2020, \$0.013 shall be
15 transferred; from July 1, 2020 through June 30, 2021,
16 \$0.007 will be transferred; and after June 30, 2021,
17 no transfer shall be made to the Wireless Carrier
18 Reimbursement Fund.

19 (C) Until December 31, 2017, \$0.007 and on and
20 after January 1, 2018, \$0.017 shall be used to cover
21 the Illinois State Police's administrative costs.

22 (D) Beginning January 1, 2018, until June 30,
23 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
24 be used to make monthly proportional grants to the
25 appropriate 9-1-1 Authority currently taking wireless
26 9-1-1 based upon the United States Postal Zip Code of

1 the billing addresses of subscribers wireless
2 carriers.

3 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used
4 by the Illinois State Police for grants for NG9-1-1
5 expenses, with priority given to 9-1-1 Authorities
6 that provide 9-1-1 service within the territory of a
7 Large Electing Provider as defined in Section 13-406.1
8 of the Public Utilities Act.

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

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

15 (A) The Fund shall pay monthly to:

16 (i) the 9-1-1 Authorities that imposed
17 surcharges under Section 15.3 of this Act and were
18 required to report to the Illinois Commerce
19 Commission under Section 27 of the Wireless
20 Emergency Telephone Safety Act on October 1, 2014,
21 except a 9-1-1 Authority in a municipality with a
22 population in excess of 500,000, an amount equal
23 to the average monthly wireline and VoIP surcharge
24 revenue attributable to the most recent 12-month
25 period reported to the Illinois State Police under
26 that Section for the October 1, 2014 filing,

1 subject to the power of the Illinois State Police
2 to investigate the amount reported and adjust the
3 number by order under Article X of the Public
4 Utilities Act, so that the monthly amount paid
5 under this item accurately reflects one-twelfth of
6 the aggregate wireline and VoIP surcharge revenue
7 properly attributable to the most recent 12-month
8 period reported to the Commission; or

9 (ii) county qualified governmental entities
10 that did not impose a surcharge under Section 15.3
11 as of December 31, 2015, and counties that did not
12 impose a surcharge as of June 30, 2015, an amount
13 equivalent to their population multiplied by .37
14 multiplied by the rate of \$0.69; counties that are
15 not county qualified governmental entities and
16 that did not impose a surcharge as of December 31,
17 2015, shall not begin to receive the payment
18 provided for in this subsection until E9-1-1 and
19 wireless E9-1-1 services are provided within their
20 counties; or

21 (iii) counties without 9-1-1 service that had
22 a surcharge in place by December 31, 2015, an
23 amount equivalent to their population multiplied
24 by .37 multiplied by their surcharge rate as
25 established by the referendum.

26 (B) All 9-1-1 network costs for systems outside of

1 municipalities with a population of at least 500,000
2 shall be paid by the Illinois State Police directly to
3 the vendors.

4 (C) All expenses incurred by the Administrator and
5 the Statewide 9-1-1 Advisory Board and costs
6 associated with procurement under Section 15.6b
7 including requests for information and requests for
8 proposals.

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

1 incurred between January 1, 2010, and January 1, 2016.

2 (E) All remaining funds per remit month shall be
3 used to make monthly proportional grants to the
4 appropriate 9-1-1 Authority currently taking wireless
5 9-1-1 based upon the United States Postal Zip Code of
6 the billing addresses of subscribers of wireless
7 carriers.

8 (c) The moneys deposited into the Statewide 9-1-1 Fund
9 under this Section shall not be subject to administrative
10 charges or chargebacks unless otherwise authorized by this
11 Act.

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

24 (Source: P.A. 101-639, eff. 6-12-20; 102-9, eff. 6-3-21;
25 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

1 (Text of Section after amendment by P.A. 103-366)

2 (Section scheduled to be repealed on December 31, 2025)

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

4 (a) A special fund in the State treasury known as the
5 Wireless Service Emergency Fund shall be renamed the Statewide
6 9-1-1 Fund. Any appropriations made from the Wireless Service
7 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
8 The Fund shall consist of the following:

9 (1) (Blank).

10 (2) 9-1-1 surcharges assessed under Section 20 of this
11 Act.

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

14 (4) Any appropriations, grants, or gifts made to the
15 Fund.

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

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

20 (b) Subject to appropriation and availability of funds,
21 the Illinois State Police shall distribute the 9-1-1
22 surcharges monthly as follows:

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

25 (A) \$0.013 shall be distributed monthly in equal
26 amounts to each County Emergency Telephone System

1 Board in counties with a population under 100,000
2 according to the most recent census data which is
3 authorized to serve as a primary wireless 9-1-1 public
4 safety answering point for the county and to provide
5 wireless 9-1-1 service as prescribed by subsection (b)
6 of Section 15.6a of this Act, and which does provide
7 such service.

8 (B) (Blank).

9 (C) Until December 31, 2017, \$0.007 and on and
10 after January 1, 2018, \$0.017 shall be used to cover
11 the Illinois State Police's administrative costs.

12 (D) Beginning January 1, 2018, until June 30,
13 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
14 be used to make monthly disbursements to the
15 appropriate 9-1-1 Authority currently taking wireless
16 9-1-1 based upon the United States Postal Zip Code of
17 the billing addresses of subscribers wireless
18 carriers.

19 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used
20 by the Illinois State Police for grants for NG9-1-1
21 expenses, with priority given to 9-1-1 Authorities
22 that provide 9-1-1 service within the territory of a
23 Large Electing Provider as defined in Section 13-406.1
24 of the Public Utilities Act.

25 (F) On and after July 1, 2020, \$0.13 shall be used
26 for the implementation of and continuing expenses for

1 the Statewide NG9-1-1 system.

2 (1.5) Beginning on the effective date of this
3 amendatory Act of the 103rd General Assembly, to assist
4 with the implementation of the statewide Next Generation
5 9-1-1 network, the Illinois State Police's administrative
6 costs include the one-time capital cost of upgrading the
7 Illinois State Police's call-handling equipment to meet
8 the standards necessary to access and increase
9 interoperability with the statewide Next Generation 9-1-1
10 network.

11 (A) Upon completion of the Illinois State Police's
12 call-handling equipment upgrades, but no later than
13 June 30, 2024, surplus moneys in excess of \$1,000,000
14 from subparagraph (C) of paragraph (1) not utilized by
15 the Illinois State Police for administrative costs
16 shall be distributed to the 9-1-1 Authorities in
17 accordance with subparagraph (E) of paragraph (2) on
18 an annual basis at the end of the State fiscal year.
19 Any remaining surplus money may also be distributed
20 consistent with this paragraph (1.5) at the discretion
21 of the Illinois State Police.

22 (B) Upon implementation of the Statewide NG9-1-1
23 system, but no later than June 30, 2024, surplus
24 moneys in excess of \$5,000,000 from subparagraph (F)
25 of paragraph (1) not utilized by the Illinois State
26 Police for the implementation of and continuing

1 expenses for the Statewide NG9-1-1 system shall be
2 distributed to the 9-1-1 Authorities in accordance
3 with subparagraph (E) of subsection (2) on an annual
4 basis at the end of the State fiscal year. Any
5 remaining surplus money may also be distributed
6 consistent with this paragraph (1.5) at the discretion
7 of the Illinois State Police.

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

11 (A) The Fund shall pay monthly to:

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

1 under this item accurately reflects one-twelfth of
2 the aggregate wireline and VoIP surcharge revenue
3 properly attributable to the most recent 12-month
4 period reported to the Commission; or

5 (ii) county qualified governmental entities
6 that did not impose a surcharge under Section 15.3
7 as of December 31, 2015, and counties that did not
8 impose a surcharge as of June 30, 2015, an amount
9 equivalent to their population multiplied by .37
10 multiplied by the rate of \$0.69; counties that are
11 not county qualified governmental entities and
12 that did not impose a surcharge as of December 31,
13 2015, shall not begin to receive the payment
14 provided for in this subsection until E9-1-1 and
15 wireless E9-1-1 services are provided within their
16 counties; or

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

22 (B) All 9-1-1 network costs for systems outside of
23 municipalities with a population of at least 500,000
24 shall be paid by the Illinois State Police directly to
25 the vendors.

26 (C) All expenses incurred by the Administrator and

1 the Statewide 9-1-1 Advisory Board and costs
2 associated with procurement under Section 15.6b
3 including requests for information and requests for
4 proposals.

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

24 (E) All remaining funds per remit month shall be
25 used to make monthly disbursements to the appropriate
26 9-1-1 Authority currently taking wireless 9-1-1 based

1 upon the United States Postal Zip Code of the billing
2 addresses of subscribers of wireless carriers.

3 (c) The moneys deposited into the Statewide 9-1-1 Fund
4 under this Section shall not be subject to administrative
5 charges or chargebacks unless otherwise authorized by this
6 Act.

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

19 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;
20 102-813, eff. 5-13-22; 103-366, eff. 1-1-24.)

21 (50 ILCS 750/35)

22 (Text of Section before amendment by P.A. 103-366)

23 (Section scheduled to be repealed on December 31, 2025)

24 Sec. 35. 9-1-1 surcharge; allowable expenditures. Except
25 as otherwise provided in this Act, expenditures from surcharge

1 revenues received under this Act may be made by
2 municipalities, counties, and 9-1-1 Authorities only to pay
3 for the costs associated with the following:

4 (1) The design of the Emergency Telephone System.

5 (2) The coding of an initial Master Street Address
6 Guide database, and update and maintenance thereof.

7 (3) The repayment of any moneys advanced for the
8 implementation of the system.

9 (4) The charges for Automatic Number Identification
10 and Automatic Location Identification equipment, a
11 computer aided dispatch system that records, maintains,
12 and integrates information, mobile data transmitters
13 equipped with automatic vehicle locators, and maintenance,
14 replacement, and update thereof to increase operational
15 efficiency and improve the provision of emergency
16 services.

17 (5) The non-recurring charges related to installation
18 of the Emergency Telephone System.

19 (6) The initial acquisition and installation, or the
20 reimbursement of costs therefor to other governmental
21 bodies that have incurred those costs, of road or street
22 signs that are essential to the implementation of the
23 Emergency Telephone System and that are not duplicative of
24 signs that are the responsibility of the jurisdiction
25 charged with maintaining road and street signs. Funds may
26 not be used for ongoing expenses associated with road or

1 street sign maintenance and replacement.

2 (7) Other products and services necessary for the
3 implementation, upgrade, and maintenance of the system and
4 any other purpose related to the operation of the system,
5 including costs attributable directly to the construction,
6 leasing, or maintenance of any buildings or facilities or
7 costs of personnel attributable directly to the operation
8 of the system. Costs attributable directly to the
9 operation of an emergency telephone system do not include
10 the costs of public safety agency personnel who are and
11 equipment that is dispatched in response to an emergency
12 call.

13 (8) The defraying of expenses incurred to implement
14 Next Generation 9-1-1, subject to the conditions set forth
15 in this Act.

16 (9) The implementation of a computer aided dispatch
17 system or hosted supplemental 9-1-1 services.

18 (10) The design, implementation, operation,
19 maintenance, or upgrade of wireless 9-1-1, E9-1-1, or
20 NG9-1-1 emergency services and public safety answering
21 points.

22 In the case of a municipality with a population over
23 500,000, moneys may also be used for any anti-terrorism or
24 emergency preparedness measures, including, but not limited
25 to, preparedness planning, providing local matching funds for
26 federal or State grants, personnel training, and specialized

1 equipment, including surveillance cameras, as needed to deal
2 with natural and terrorist-inspired emergency situations or
3 events.

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

5 (Text of Section after amendment by P.A. 103-366)

6 (Section scheduled to be repealed on December 31, 2025)

7 Sec. 35. 9-1-1 surcharge; allowable expenditures.

8 (a) Except as otherwise provided in this Act, expenditures
9 from surcharge revenues received under this Act shall be made
10 consistent with 47 CFR 9.23, which include the following:

11 (1) support and implementation of 9-1-1 services
12 provided by or in the State or taxing jurisdiction
13 imposing the fee or charge; and

14 (2) operational expenses of public safety answering
15 points within the State. Examples of allowable
16 expenditures include, but are not limited to:

17 (A) PSAP operating costs, including lease,
18 purchase, maintenance, replacement, and upgrade of
19 customer premises equipment (hardware and software),
20 CAD equipment (hardware and software), and the PSAP
21 building and facility and including NG9-1-1,
22 cybersecurity, pre-arrival instructions, and emergency
23 notification systems. PSAP operating costs include
24 technological innovation that supports 9-1-1;

25 (B) PSAP personnel costs, including

1 telecommunicators' salaries and training;

2 (C) PSAP administration, including costs for
3 administration of 9-1-1 services and travel expenses
4 associated with the provision of 9-1-1 services;

5 (D) integrating public safety and first responder
6 dispatch and 9-1-1 systems, including lease, purchase,
7 maintenance, and upgrade of CAD equipment (hardware
8 and software) to support integrated 9-1-1 and public
9 safety dispatch operations; ~~and~~

10 (E) providing the interoperability of 9-1-1
11 systems with one another and with public safety and
12 first responder radio systems; ~~and~~.

13 (F) costs for the initial acquisition and
14 installation of road or street signs that are
15 essential to the implementation of the Emergency
16 Telephone System and that are not duplicative of signs
17 that are the responsibility of the jurisdiction
18 charged with maintaining road and street signs, as
19 well as costs incurred to reimburse governmental
20 bodies for the acquisition and installation of those
21 signs, except that expenditures may not be used for
22 ongoing expenses associated with sign maintenance and
23 replacement.

24 (3) (Blank).

25 (4) (Blank).

26 (5) (Blank).

1 (6) (Blank).

2 (7) (Blank).

3 (8) (Blank).

4 (9) (Blank).

5 (10) (Blank).

6 (b) The obligation or expenditure of surcharge revenues
7 received under this Act for a purpose or function inconsistent
8 with 47 CFR 9.23 and this Section shall constitute diversion,
9 which undermines the purpose of this Act by depriving the
10 9-1-1 system of the funds it needs to function effectively and
11 to modernize 9-1-1 operations. Examples of diversion include,
12 but are not limited to:

13 (1) transfer of 9-1-1 fees into a State or other
14 jurisdiction's general fund or other fund for non-9-1-1
15 purposes;

16 (2) use of surcharge revenues for equipment or
17 infrastructure for constructing or expanding
18 non-public-safety communications networks (e.g.,
19 commercial cellular networks); and

20 (3) use of surcharge revenues for equipment or
21 infrastructure for law enforcement, firefighters, and
22 other public safety or first responder entities that does
23 not directly support providing 9-1-1 services.

24 (c) In the case of a municipality with a population over
25 500,000, moneys may also be used for any anti-terrorism or
26 emergency preparedness measures, including, but not limited

1 to, preparedness planning, providing local matching funds for
2 federal or State grants, personnel training, and specialized
3 equipment, including surveillance cameras, as needed to deal
4 with natural and terrorist-inspired emergency situations or
5 events.

6 (Source: P.A. 103-366, eff. 1-1-24.)

7 Section 35. The Prepaid Wireless 9-1-1 Surcharge Act is
8 amended by changing Section 15 as follows:

9 (50 ILCS 753/15)

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

11 (a) Until September 30, 2015, there is hereby imposed on
12 consumers a prepaid wireless 9-1-1 surcharge of 1.5% per
13 retail transaction. Beginning October 1, 2015, the prepaid
14 wireless 9-1-1 surcharge shall be 3% per retail transaction.
15 Until December 31, 2023, the ~~The~~ surcharge authorized by this
16 subsection (a) does not apply in a home rule municipality
17 having a population in excess of 500,000.

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

1 (b-5) of this Section.

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

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

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

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

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

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

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

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

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

12 (e) (Blank).

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

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

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

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

24 (Source: P.A. 102-9, eff. 6-3-21.)

25 Section 40. The School Code is amended by changing

1 Sections 21B-20, 27-20.3, and 27-21 and by renumbering and
2 changing Section 22-95, as added by Public Act 103-46, as
3 follows:

4 (105 ILCS 5/21B-20)

5 (Text of Section before amendment by P.A. 103-193)

6 Sec. 21B-20. Types of licenses. The State Board of
7 Education shall implement a system of educator licensure,
8 whereby individuals employed in school districts who are
9 required to be licensed must have one of the following
10 licenses: (i) a professional educator license; (ii) an
11 educator license with stipulations; (iii) a substitute
12 teaching license; or (iv) until June 30, 2028, a short-term
13 substitute teaching license. References in law regarding
14 individuals certified or certificated or required to be
15 certified or certificated under Article 21 of this Code shall
16 also include individuals licensed or required to be licensed
17 under this Article. The first year of all licenses ends on June
18 30 following one full year of the license being issued.

19 The State Board of Education, in consultation with the
20 State Educator Preparation and Licensure Board, may adopt such
21 rules as may be necessary to govern the requirements for
22 licenses and endorsements under this Section.

23 (1) Professional Educator License. Persons who (i)
24 have successfully completed an approved educator
25 preparation program and are recommended for licensure by

1 the Illinois institution offering the educator preparation
2 program, (ii) have successfully completed the required
3 testing under Section 21B-30 of this Code, (iii) have
4 successfully completed coursework on the psychology of,
5 the identification of, and the methods of instruction for
6 the exceptional child, including, without limitation,
7 children with learning disabilities, (iv) have
8 successfully completed coursework in methods of reading
9 and reading in the content area, and (v) have met all other
10 criteria established by rule of the State Board of
11 Education shall be issued a Professional Educator License.
12 All Professional Educator Licenses are valid until June 30
13 immediately following 5 years of the license being issued.
14 The Professional Educator License shall be endorsed with
15 specific areas and grade levels in which the individual is
16 eligible to practice. For an early childhood education
17 endorsement, an individual may satisfy the student
18 teaching requirement of his or her early childhood teacher
19 preparation program through placement in a setting with
20 children from birth through grade 2, and the individual
21 may be paid and receive credit while student teaching. The
22 student teaching experience must meet the requirements of
23 and be approved by the individual's early childhood
24 teacher preparation program.

25 Individuals can receive subsequent endorsements on the
26 Professional Educator License. Subsequent endorsements

1 shall require a minimum of 24 semester hours of coursework
2 in the endorsement area and passage of the applicable
3 content area test, unless otherwise specified by rule.

4 (2) Educator License with Stipulations. An Educator
5 License with Stipulations shall be issued an endorsement
6 that limits the license holder to one particular position
7 or does not require completion of an approved educator
8 program or both.

9 An individual with an Educator License with
10 Stipulations must not be employed by a school district or
11 any other entity to replace any presently employed teacher
12 who otherwise would not be replaced for any reason.

13 An Educator License with Stipulations may be issued
14 with the following endorsements:

15 (A) (Blank).

16 (B) Alternative provisional educator. An
17 alternative provisional educator endorsement on an
18 Educator License with Stipulations may be issued to an
19 applicant who, at the time of applying for the
20 endorsement, has done all of the following:

21 (i) Graduated from a regionally accredited
22 college or university with a minimum of a
23 bachelor's degree.

24 (ii) Successfully completed the first phase of
25 the Alternative Educator Licensure Program for
26 Teachers, as described in Section 21B-50 of this

1 Code.

2 (iii) Passed a content area test, as required
3 under Section 21B-30 of this Code.

4 The alternative provisional educator endorsement is
5 valid for 2 years of teaching and may be renewed for a
6 third year by an individual meeting the requirements set
7 forth in Section 21B-50 of this Code.

8 (C) Alternative provisional superintendent. An
9 alternative provisional superintendent endorsement on
10 an Educator License with Stipulations entitles the
11 holder to serve only as a superintendent or assistant
12 superintendent in a school district's central office.
13 This endorsement may only be issued to an applicant
14 who, at the time of applying for the endorsement, has
15 done all of the following:

16 (i) Graduated from a regionally accredited
17 college or university with a minimum of a master's
18 degree in a management field other than education.

19 (ii) Been employed for a period of at least 5
20 years in a management level position in a field
21 other than education.

22 (iii) Successfully completed the first phase
23 of an alternative route to superintendent
24 endorsement program, as provided in Section 21B-55
25 of this Code.

26 (iv) Passed a content area test required under

1 Section 21B-30 of this Code.

2 The endorsement is valid for 2 fiscal years in
3 order to complete one full year of serving as a
4 superintendent or assistant superintendent.

5 (D) (Blank).

6 (E) Career and technical educator. A career and
7 technical educator endorsement on an Educator License
8 with Stipulations may be issued to an applicant who
9 has a minimum of 60 semester hours of coursework from a
10 regionally accredited institution of higher education
11 or an accredited trade and technical institution and
12 has a minimum of 2,000 hours of experience outside of
13 education in each area to be taught.

14 The career and technical educator endorsement on
15 an Educator License with Stipulations is valid until
16 June 30 immediately following 5 years of the
17 endorsement being issued and may be renewed.

18 An individual who holds a valid career and
19 technical educator endorsement on an Educator License
20 with Stipulations but does not hold a bachelor's
21 degree may substitute teach in career and technical
22 education classrooms.

23 (F) (Blank).

24 (G) Transitional bilingual educator. A
25 transitional bilingual educator endorsement on an
26 Educator License with Stipulations may be issued for

1 the purpose of providing instruction in accordance
2 with Article 14C of this Code to an applicant who
3 provides satisfactory evidence that he or she meets
4 all of the following requirements:

5 (i) Possesses adequate speaking, reading, and
6 writing ability in the language other than English
7 in which transitional bilingual education is
8 offered.

9 (ii) Has the ability to successfully
10 communicate in English.

11 (iii) Either possessed, within 5 years
12 previous to his or her applying for a transitional
13 bilingual educator endorsement, a valid and
14 comparable teaching certificate or comparable
15 authorization issued by a foreign country or holds
16 a degree from an institution of higher learning in
17 a foreign country that the State Educator
18 Preparation and Licensure Board determines to be
19 the equivalent of a bachelor's degree from a
20 regionally accredited institution of higher
21 learning in the United States.

22 A transitional bilingual educator endorsement
23 shall be valid for prekindergarten through grade 12,
24 is valid until June 30 immediately following 5 years
25 of the endorsement being issued, and shall not be
26 renewed.

1 Persons holding a transitional bilingual educator
2 endorsement shall not be employed to replace any
3 presently employed teacher who otherwise would not be
4 replaced for any reason.

5 (H) Language endorsement. In an effort to
6 alleviate the shortage of teachers speaking a language
7 other than English in the public schools, an
8 individual who holds an Educator License with
9 Stipulations may also apply for a language
10 endorsement, provided that the applicant provides
11 satisfactory evidence that he or she meets all of the
12 following requirements:

13 (i) Holds a transitional bilingual
14 endorsement.

15 (ii) Has demonstrated proficiency in the
16 language for which the endorsement is to be issued
17 by passing the applicable language content test
18 required by the State Board of Education.

19 (iii) Holds a bachelor's degree or higher from
20 a regionally accredited institution of higher
21 education or, for individuals educated in a
22 country other than the United States, holds a
23 degree from an institution of higher learning in a
24 foreign country that the State Educator
25 Preparation and Licensure Board determines to be
26 the equivalent of a bachelor's degree from a

1 regionally accredited institution of higher
2 learning in the United States.

3 (iv) (Blank).

4 A language endorsement on an Educator License with
5 Stipulations is valid for prekindergarten through
6 grade 12 for the same validity period as the
7 individual's transitional bilingual educator
8 endorsement on the Educator License with Stipulations
9 and shall not be renewed.

10 (I) Visiting international educator. A visiting
11 international educator endorsement on an Educator
12 License with Stipulations may be issued to an
13 individual who is being recruited by a particular
14 school district that conducts formal recruitment
15 programs outside of the United States to secure the
16 services of qualified teachers and who meets all of
17 the following requirements:

18 (i) Holds the equivalent of a minimum of a
19 bachelor's degree issued in the United States.

20 (ii) Has been prepared as a teacher at the
21 grade level for which he or she will be employed.

22 (iii) Has adequate content knowledge in the
23 subject to be taught.

24 (iv) Has an adequate command of the English
25 language.

26 A holder of a visiting international educator

1 endorsement on an Educator License with Stipulations
2 shall be permitted to teach in bilingual education
3 programs in the language that was the medium of
4 instruction in his or her teacher preparation program,
5 provided that he or she passes the English Language
6 Proficiency Examination or another test of writing
7 skills in English identified by the State Board of
8 Education, in consultation with the State Educator
9 Preparation and Licensure Board.

10 A visiting international educator endorsement on
11 an Educator License with Stipulations is valid for 5
12 years and shall not be renewed.

13 (J) Paraprofessional educator. A paraprofessional
14 educator endorsement on an Educator License with
15 Stipulations may be issued to an applicant who holds a
16 high school diploma or its recognized equivalent and
17 (i) holds an associate's degree or a minimum of 60
18 semester hours of credit from a regionally accredited
19 institution of higher education; (ii) has passed a
20 paraprofessional competency test under subsection
21 (c-5) of Section 21B-30; or (iii) is at least 18 years
22 of age and will be using the Educator License with
23 Stipulations exclusively for grades prekindergarten
24 through grade 8, until the individual reaches the age
25 of 19 years and otherwise meets the criteria for a
26 paraprofessional educator endorsement pursuant to this

1 subparagraph (J). The paraprofessional educator
2 endorsement is valid until June 30 immediately
3 following 5 years of the endorsement being issued and
4 may be renewed through application and payment of the
5 appropriate fee, as required under Section 21B-40 of
6 this Code. An individual who holds only a
7 paraprofessional educator endorsement is not subject
8 to additional requirements in order to renew the
9 endorsement.

10 (K) Chief school business official. A chief school
11 business official endorsement on an Educator License
12 with Stipulations may be issued to an applicant who
13 qualifies by having a master's degree or higher, 2
14 years of full-time administrative experience in school
15 business management or 2 years of university-approved
16 practical experience, and a minimum of 24 semester
17 hours of graduate credit in a program approved by the
18 State Board of Education for the preparation of school
19 business administrators and by passage of the
20 applicable State tests, including an applicable
21 content area test.

22 The chief school business official endorsement may
23 also be affixed to the Educator License with
24 Stipulations of any holder who qualifies by having a
25 master's degree in business administration, finance,
26 accounting, or public administration and who completes

1 an additional 6 semester hours of internship in school
2 business management from a regionally accredited
3 institution of higher education and passes the
4 applicable State tests, including an applicable
5 content area test. This endorsement shall be required
6 for any individual employed as a chief school business
7 official.

8 The chief school business official endorsement on
9 an Educator License with Stipulations is valid until
10 June 30 immediately following 5 years of the
11 endorsement being issued and may be renewed if the
12 license holder completes renewal requirements as
13 required for individuals who hold a Professional
14 Educator License endorsed for chief school business
15 official under Section 21B-45 of this Code and such
16 rules as may be adopted by the State Board of
17 Education.

18 The State Board of Education shall adopt any rules
19 necessary to implement Public Act 100-288.

20 (L) Provisional in-state educator. A provisional
21 in-state educator endorsement on an Educator License
22 with Stipulations may be issued to a candidate who has
23 completed an Illinois-approved educator preparation
24 program at an Illinois institution of higher education
25 and who has not successfully completed an
26 evidence-based assessment of teacher effectiveness but

1 who meets all of the following requirements:

2 (i) Holds at least a bachelor's degree.

3 (ii) Has completed an approved educator
4 preparation program at an Illinois institution.

5 (iii) Has passed an applicable content area
6 test, as required by Section 21B-30 of this Code.

7 (iv) Has attempted an evidence-based
8 assessment of teacher effectiveness and received a
9 minimum score on that assessment, as established
10 by the State Board of Education in consultation
11 with the State Educator Preparation and Licensure
12 Board.

13 A provisional in-state educator endorsement on an
14 Educator License with Stipulations is valid for one
15 full fiscal year after the date of issuance and may not
16 be renewed.

17 (M) (Blank).

18 (N) Specialized services. A specialized services
19 endorsement on an Educator License with Stipulations
20 may be issued as defined and specified by rule.

21 (O) Provisional career and technical educator. A
22 provisional career and technical educator endorsement
23 on an Educator License with Stipulations may be issued
24 to an applicant who has a minimum of 8,000 hours of
25 work experience in the skill for which the applicant
26 is seeking the endorsement. Each employing school

1 board and regional office of education shall provide
2 verification, in writing, to the State Superintendent
3 of Education at the time the application is submitted
4 that no qualified teacher holding a Professional
5 Educator License or an Educator License with
6 Stipulations with a career and technical educator
7 endorsement is available to teach and that actual
8 circumstances require such issuance.

9 A provisional career and technical educator
10 endorsement on an Educator License with Stipulations
11 is valid until June 30 immediately following 5 years
12 of the endorsement being issued and may be renewed.

13 An individual who holds a provisional career and
14 technical educator endorsement on an Educator License
15 with Stipulations may teach as a substitute teacher in
16 career and technical education classrooms.

17 (3) Substitute Teaching License. A Substitute Teaching
18 License may be issued to qualified applicants for
19 substitute teaching in all grades of the public schools,
20 prekindergarten through grade 12. Substitute Teaching
21 Licenses are not eligible for endorsements. Applicants for
22 a Substitute Teaching License must hold a bachelor's
23 degree or higher from a regionally accredited institution
24 of higher education or must be enrolled in an approved
25 educator preparation program in this State and have earned
26 at least 90 credit hours.

1 Substitute Teaching Licenses are valid for 5 years.

2 Substitute Teaching Licenses are valid for substitute
3 teaching in every county of this State. If an individual
4 has had his or her Professional Educator License or
5 Educator License with Stipulations suspended or revoked,
6 then that individual is not eligible to obtain a
7 Substitute Teaching License.

8 A substitute teacher may only teach in the place of a
9 licensed teacher who is under contract with the employing
10 board. If, however, there is no licensed teacher under
11 contract because of an emergency situation, then a
12 district may employ a substitute teacher for no longer
13 than 30 calendar days per each vacant position in the
14 district if the district notifies the appropriate regional
15 office of education within 5 business days after the
16 employment of the substitute teacher in the emergency
17 situation. An emergency situation is one in which an
18 unforeseen vacancy has occurred and (i) a teacher is
19 unable to fulfill his or her contractual duties or (ii)
20 teacher capacity needs of the district exceed previous
21 indications, and the district is actively engaged in
22 advertising to hire a fully licensed teacher for the
23 vacant position.

24 There is no limit on the number of days that a
25 substitute teacher may teach in a single school district,
26 provided that no substitute teacher may teach for longer

1 than 120 days beginning with the 2021-2022 school year
2 through the 2022-2023 school year, otherwise 90 school
3 days for any one licensed teacher under contract in the
4 same school year. A substitute teacher who holds a
5 Professional Educator License or Educator License with
6 Stipulations shall not teach for more than 120 school days
7 for any one licensed teacher under contract in the same
8 school year. The limitations in this paragraph (3) on the
9 number of days a substitute teacher may be employed do not
10 apply to any school district operating under Article 34 of
11 this Code.

12 A school district may not require an individual who
13 holds a valid Professional Educator License or Educator
14 License with Stipulations to seek or hold a Substitute
15 Teaching License to teach as a substitute teacher.

16 (4) Short-Term Substitute Teaching License. Beginning
17 on July 1, 2018 and until June 30, 2028, applicants may
18 apply to the State Board of Education for issuance of a
19 Short-Term Substitute Teaching License. A Short-Term
20 Substitute Teaching License may be issued to a qualified
21 applicant for substitute teaching in all grades of the
22 public schools, prekindergarten through grade 12.
23 Short-Term Substitute Teaching Licenses are not eligible
24 for endorsements. Applicants for a Short-Term Substitute
25 Teaching License must hold an associate's degree or have
26 completed at least 60 credit hours from a regionally

1 accredited institution of higher education.

2 Short-Term Substitute Teaching Licenses are valid for
3 substitute teaching in every county of this State. If an
4 individual has had his or her Professional Educator
5 License or Educator License with Stipulations suspended or
6 revoked, then that individual is not eligible to obtain a
7 Short-Term Substitute Teaching License.

8 The provisions of Sections 10-21.9 and 34-18.5 of this
9 Code apply to short-term substitute teachers.

10 An individual holding a Short-Term Substitute Teaching
11 License may teach no more than 15 consecutive days per
12 licensed teacher who is under contract. For teacher
13 absences lasting 6 or more days per licensed teacher who
14 is under contract, a school district may not hire an
15 individual holding a Short-Term Substitute Teaching
16 License, unless the Governor has declared a disaster due
17 to a public health emergency pursuant to Section 7 of the
18 Illinois Emergency Management Agency Act. An individual
19 holding a Short-Term Substitute Teaching License must
20 complete the training program under Section 10-20.67 or
21 34-18.60 of this Code to be eligible to teach at a public
22 school. Short-Term Substitute Teaching Licenses ~~Short-term~~
23 ~~substitute teaching licenses~~ under this Section are valid
24 for 5 years.

25 (Source: P.A. 102-711, eff. 1-1-23; 102-712, eff. 4-27-22;
26 102-713, eff. 1-1-23; 102-717, eff. 4-29-22; 102-894, eff.

1 5-20-22; 103-111, eff. 6-29-23; 103-154, eff. 6-30-23; revised
2 9-7-23.)

3 (Text of Section after amendment by P.A. 103-193)

4 Sec. 21B-20. Types of licenses. The State Board of
5 Education shall implement a system of educator licensure,
6 whereby individuals employed in school districts who are
7 required to be licensed must have one of the following
8 licenses: (i) a professional educator license; (ii) an
9 educator license with stipulations; (iii) a substitute
10 teaching license; or (iv) until June 30, 2028, a short-term
11 substitute teaching license. References in law regarding
12 individuals certified or certificated or required to be
13 certified or certificated under Article 21 of this Code shall
14 also include individuals licensed or required to be licensed
15 under this Article. The first year of all licenses ends on June
16 30 following one full year of the license being issued.

17 The State Board of Education, in consultation with the
18 State Educator Preparation and Licensure Board, may adopt such
19 rules as may be necessary to govern the requirements for
20 licenses and endorsements under this Section.

21 (1) Professional Educator License. Persons who (i)
22 have successfully completed an approved educator
23 preparation program and are recommended for licensure by
24 the Illinois institution offering the educator preparation
25 program, (ii) have successfully completed the required

1 testing under Section 21B-30 of this Code, (iii) have
2 successfully completed coursework on the psychology of,
3 the identification of, and the methods of instruction for
4 the exceptional child, including, without limitation,
5 children with learning disabilities, (iv) have
6 successfully completed coursework in methods of reading
7 and reading in the content area, and (v) have met all other
8 criteria established by rule of the State Board of
9 Education shall be issued a Professional Educator License.
10 All Professional Educator Licenses are valid until June 30
11 immediately following 5 years of the license being issued.
12 The Professional Educator License shall be endorsed with
13 specific areas and grade levels in which the individual is
14 eligible to practice. For an early childhood education
15 endorsement, an individual may satisfy the student
16 teaching requirement of his or her early childhood teacher
17 preparation program through placement in a setting with
18 children from birth through grade 2, and the individual
19 may be paid and receive credit while student teaching. The
20 student teaching experience must meet the requirements of
21 and be approved by the individual's early childhood
22 teacher preparation program.

23 Individuals can receive subsequent endorsements on the
24 Professional Educator License. Subsequent endorsements
25 shall require a minimum of 24 semester hours of coursework
26 in the endorsement area and passage of the applicable

1 content area test, unless otherwise specified by rule.

2 (2) Educator License with Stipulations. An Educator
3 License with Stipulations shall be issued an endorsement
4 that limits the license holder to one particular position
5 or does not require completion of an approved educator
6 program or both.

7 An individual with an Educator License with
8 Stipulations must not be employed by a school district or
9 any other entity to replace any presently employed teacher
10 who otherwise would not be replaced for any reason.

11 An Educator License with Stipulations may be issued
12 with the following endorsements:

13 (A) (Blank).

14 (B) Alternative provisional educator. An
15 alternative provisional educator endorsement on an
16 Educator License with Stipulations may be issued to an
17 applicant who, at the time of applying for the
18 endorsement, has done all of the following:

19 (i) Graduated from a regionally accredited
20 college or university with a minimum of a
21 bachelor's degree.

22 (ii) Successfully completed the first phase of
23 the Alternative Educator Licensure Program for
24 Teachers, as described in Section 21B-50 of this
25 Code.

26 (iii) Passed a content area test, as required

1 under Section 21B-30 of this Code.

2 The alternative provisional educator endorsement is
3 valid for 2 years of teaching and may be renewed for a
4 third year by an individual meeting the requirements set
5 forth in Section 21B-50 of this Code.

6 (C) Alternative provisional superintendent. An
7 alternative provisional superintendent endorsement on
8 an Educator License with Stipulations entitles the
9 holder to serve only as a superintendent or assistant
10 superintendent in a school district's central office.
11 This endorsement may only be issued to an applicant
12 who, at the time of applying for the endorsement, has
13 done all of the following:

14 (i) Graduated from a regionally accredited
15 college or university with a minimum of a master's
16 degree in a management field other than education.

17 (ii) Been employed for a period of at least 5
18 years in a management level position in a field
19 other than education.

20 (iii) Successfully completed the first phase
21 of an alternative route to superintendent
22 endorsement program, as provided in Section 21B-55
23 of this Code.

24 (iv) Passed a content area test required under
25 Section 21B-30 of this Code.

26 The endorsement is valid for 2 fiscal years in

1 order to complete one full year of serving as a
2 superintendent or assistant superintendent.

3 (D) (Blank).

4 (E) Career and technical educator. A career and
5 technical educator endorsement on an Educator License
6 with Stipulations may be issued to an applicant who
7 has a minimum of 60 semester hours of coursework from a
8 regionally accredited institution of higher education
9 or an accredited trade and technical institution and
10 has a minimum of 2,000 hours of experience outside of
11 education in each area to be taught.

12 The career and technical educator endorsement on
13 an Educator License with Stipulations is valid until
14 June 30 immediately following 5 years of the
15 endorsement being issued and may be renewed.

16 An individual who holds a valid career and
17 technical educator endorsement on an Educator License
18 with Stipulations but does not hold a bachelor's
19 degree may substitute teach in career and technical
20 education classrooms.

21 (F) (Blank).

22 (G) Transitional bilingual educator. A
23 transitional bilingual educator endorsement on an
24 Educator License with Stipulations may be issued for
25 the purpose of providing instruction in accordance
26 with Article 14C of this Code to an applicant who

1 provides satisfactory evidence that he or she meets
2 all of the following requirements:

3 (i) Possesses adequate speaking, reading, and
4 writing ability in the language other than English
5 in which transitional bilingual education is
6 offered.

7 (ii) Has the ability to successfully
8 communicate in English.

9 (iii) Either possessed, within 5 years
10 previous to his or her applying for a transitional
11 bilingual educator endorsement, a valid and
12 comparable teaching certificate or comparable
13 authorization issued by a foreign country or holds
14 a degree from an institution of higher learning in
15 a foreign country that the State Educator
16 Preparation and Licensure Board determines to be
17 the equivalent of a bachelor's degree from a
18 regionally accredited institution of higher
19 learning in the United States.

20 A transitional bilingual educator endorsement
21 shall be valid for prekindergarten through grade 12,
22 is valid until June 30 immediately following 5 years
23 of the endorsement being issued, and shall not be
24 renewed.

25 Persons holding a transitional bilingual educator
26 endorsement shall not be employed to replace any

1 presently employed teacher who otherwise would not be
2 replaced for any reason.

3 (H) Language endorsement. In an effort to
4 alleviate the shortage of teachers speaking a language
5 other than English in the public schools, an
6 individual who holds an Educator License with
7 Stipulations may also apply for a language
8 endorsement, provided that the applicant provides
9 satisfactory evidence that he or she meets all of the
10 following requirements:

11 (i) Holds a transitional bilingual
12 endorsement.

13 (ii) Has demonstrated proficiency in the
14 language for which the endorsement is to be issued
15 by passing the applicable language content test
16 required by the State Board of Education.

17 (iii) Holds a bachelor's degree or higher from
18 a regionally accredited institution of higher
19 education or, for individuals educated in a
20 country other than the United States, holds a
21 degree from an institution of higher learning in a
22 foreign country that the State Educator
23 Preparation and Licensure Board determines to be
24 the equivalent of a bachelor's degree from a
25 regionally accredited institution of higher
26 learning in the United States.

1 (iv) (Blank).

2 A language endorsement on an Educator License with
3 Stipulations is valid for prekindergarten through
4 grade 12 for the same validity period as the
5 individual's transitional bilingual educator
6 endorsement on the Educator License with Stipulations
7 and shall not be renewed.

8 (I) Visiting international educator. A visiting
9 international educator endorsement on an Educator
10 License with Stipulations may be issued to an
11 individual who is being recruited by a particular
12 school district that conducts formal recruitment
13 programs outside of the United States to secure the
14 services of qualified teachers and who meets all of
15 the following requirements:

16 (i) Holds the equivalent of a minimum of a
17 bachelor's degree issued in the United States.

18 (ii) Has been prepared as a teacher at the
19 grade level for which he or she will be employed.

20 (iii) Has adequate content knowledge in the
21 subject to be taught.

22 (iv) Has an adequate command of the English
23 language.

24 A holder of a visiting international educator
25 endorsement on an Educator License with Stipulations
26 shall be permitted to teach in bilingual education

1 programs in the language that was the medium of
2 instruction in his or her teacher preparation program,
3 provided that he or she passes the English Language
4 Proficiency Examination or another test of writing
5 skills in English identified by the State Board of
6 Education, in consultation with the State Educator
7 Preparation and Licensure Board.

8 A visiting international educator endorsement on
9 an Educator License with Stipulations is valid for 5
10 years and shall not be renewed.

11 (J) Paraprofessional educator. A paraprofessional
12 educator endorsement on an Educator License with
13 Stipulations may be issued to an applicant who holds a
14 high school diploma or its recognized equivalent and
15 (i) holds an associate's degree or a minimum of 60
16 semester hours of credit from a regionally accredited
17 institution of higher education; (ii) has passed a
18 paraprofessional competency test under subsection
19 (c-5) of Section 21B-30; or (iii) is at least 18 years
20 of age and will be using the Educator License with
21 Stipulations exclusively for grades prekindergarten
22 through grade 8, until the individual reaches the age
23 of 19 years and otherwise meets the criteria for a
24 paraprofessional educator endorsement pursuant to this
25 subparagraph (J). The paraprofessional educator
26 endorsement is valid until June 30 immediately

1 following 5 years of the endorsement being issued and
2 may be renewed through application and payment of the
3 appropriate fee, as required under Section 21B-40 of
4 this Code. An individual who holds only a
5 paraprofessional educator endorsement is not subject
6 to additional requirements in order to renew the
7 endorsement.

8 (K) Chief school business official. A chief school
9 business official endorsement on an Educator License
10 with Stipulations may be issued to an applicant who
11 qualifies by having a master's degree or higher, 2
12 years of full-time administrative experience in school
13 business management or 2 years of university-approved
14 practical experience, and a minimum of 24 semester
15 hours of graduate credit in a program approved by the
16 State Board of Education for the preparation of school
17 business administrators and by passage of the
18 applicable State tests, including an applicable
19 content area test.

20 The chief school business official endorsement may
21 also be affixed to the Educator License with
22 Stipulations of any holder who qualifies by having a
23 master's degree in business administration, finance,
24 accounting, or public administration and who completes
25 an additional 6 semester hours of internship in school
26 business management from a regionally accredited

1 institution of higher education and passes the
2 applicable State tests, including an applicable
3 content area test. This endorsement shall be required
4 for any individual employed as a chief school business
5 official.

6 The chief school business official endorsement on
7 an Educator License with Stipulations is valid until
8 June 30 immediately following 5 years of the
9 endorsement being issued and may be renewed if the
10 license holder completes renewal requirements as
11 required for individuals who hold a Professional
12 Educator License endorsed for chief school business
13 official under Section 21B-45 of this Code and such
14 rules as may be adopted by the State Board of
15 Education.

16 The State Board of Education shall adopt any rules
17 necessary to implement Public Act 100-288.

18 (L) Provisional in-state educator. A provisional
19 in-state educator endorsement on an Educator License
20 with Stipulations may be issued to a candidate who has
21 completed an Illinois-approved educator preparation
22 program at an Illinois institution of higher education
23 and who has not successfully completed an
24 evidence-based assessment of teacher effectiveness but
25 who meets all of the following requirements:

26 (i) Holds at least a bachelor's degree.

1 (ii) Has completed an approved educator
2 preparation program at an Illinois institution.

3 (iii) Has passed an applicable content area
4 test, as required by Section 21B-30 of this Code.

5 (iv) Has attempted an evidence-based
6 assessment of teacher effectiveness and received a
7 minimum score on that assessment, as established
8 by the State Board of Education in consultation
9 with the State Educator Preparation and Licensure
10 Board.

11 A provisional in-state educator endorsement on an
12 Educator License with Stipulations is valid for one
13 full fiscal year after the date of issuance and may not
14 be renewed.

15 (M) (Blank).

16 (N) Specialized services. A specialized services
17 endorsement on an Educator License with Stipulations
18 may be issued as defined and specified by rule.

19 (O) Provisional career and technical educator. A
20 provisional career and technical educator endorsement
21 on an Educator License with Stipulations may be issued
22 to an applicant who has a minimum of 8,000 hours of
23 work experience in the skill for which the applicant
24 is seeking the endorsement. Each employing school
25 board and regional office of education shall provide
26 verification, in writing, to the State Superintendent

1 of Education at the time the application is submitted
2 that no qualified teacher holding a Professional
3 Educator License or an Educator License with
4 Stipulations with a career and technical educator
5 endorsement is available to teach and that actual
6 circumstances require such issuance.

7 A provisional career and technical educator
8 endorsement on an Educator License with Stipulations
9 is valid until June 30 immediately following 5 years
10 of the endorsement being issued and may be renewed.

11 An individual who holds a provisional career and
12 technical educator endorsement on an Educator License
13 with Stipulations may teach as a substitute teacher in
14 career and technical education classrooms.

15 (3) Substitute Teaching License. A Substitute Teaching
16 License may be issued to qualified applicants for
17 substitute teaching in all grades of the public schools,
18 prekindergarten through grade 12. Substitute Teaching
19 Licenses are not eligible for endorsements. Applicants for
20 a Substitute Teaching License must hold a bachelor's
21 degree or higher from a regionally accredited institution
22 of higher education or must be enrolled in an approved
23 educator preparation program in this State and have earned
24 at least 90 credit hours.

25 Substitute Teaching Licenses are valid for 5 years.

26 Substitute Teaching Licenses are valid for substitute

1 teaching in every county of this State. If an individual
2 has had his or her Professional Educator License or
3 Educator License with Stipulations suspended or revoked,
4 then that individual is not eligible to obtain a
5 Substitute Teaching License.

6 A substitute teacher may only teach in the place of a
7 licensed teacher who is under contract with the employing
8 board. If, however, there is no licensed teacher under
9 contract because of an emergency situation, then a
10 district may employ a substitute teacher for no longer
11 than 30 calendar days per each vacant position in the
12 district if the district notifies the appropriate regional
13 office of education within 5 business days after the
14 employment of the substitute teacher in that vacant
15 position. A district may continue to employ that same
16 substitute teacher in that same vacant position for 90
17 calendar days or until the end of the semester, whichever
18 is greater, if, prior to the expiration of the
19 30-calendar-day period then current, the district files a
20 written request with the appropriate regional office of
21 education for a 30-calendar-day extension on the basis
22 that the position remains vacant and the district
23 continues to actively seek qualified candidates and
24 provides documentation that it has provided training
25 specific to the position, including training on meeting
26 the needs of students with disabilities and English

1 learners if applicable. Each extension request shall be
2 granted in writing by the regional office of education. An
3 emergency situation is one in which an unforeseen vacancy
4 has occurred and (i) a teacher is unexpectedly unable to
5 fulfill his or her contractual duties or (ii) teacher
6 capacity needs of the district exceed previous indications
7 or vacancies are unfilled due to a lack of qualified
8 candidates, and the district is actively engaged in
9 advertising to hire a fully licensed teacher for the
10 vacant position.

11 There is no limit on the number of days that a
12 substitute teacher may teach in a single school district,
13 provided that no substitute teacher may teach for longer
14 than 120 days beginning with the 2021-2022 school year
15 through the 2022-2023 school year, otherwise 90 school
16 days for any one licensed teacher under contract in the
17 same school year. A substitute teacher who holds a
18 Professional Educator License or Educator License with
19 Stipulations shall not teach for more than 120 school days
20 for any one licensed teacher under contract in the same
21 school year. The limitations in this paragraph (3) on the
22 number of days a substitute teacher may be employed do not
23 apply to any school district operating under Article 34 of
24 this Code.

25 A school district may not require an individual who
26 holds a valid Professional Educator License or Educator

1 License with Stipulations to seek or hold a Substitute
2 Teaching License to teach as a substitute teacher.

3 (4) Short-Term Substitute Teaching License. Beginning
4 on July 1, 2018 and until June 30, 2028, applicants may
5 apply to the State Board of Education for issuance of a
6 Short-Term Substitute Teaching License. A Short-Term
7 Substitute Teaching License may be issued to a qualified
8 applicant for substitute teaching in all grades of the
9 public schools, prekindergarten through grade 12.
10 Short-Term Substitute Teaching Licenses are not eligible
11 for endorsements. Applicants for a Short-Term Substitute
12 Teaching License must hold an associate's degree or have
13 completed at least 60 credit hours from a regionally
14 accredited institution of higher education.

15 Short-Term Substitute Teaching Licenses are valid for
16 substitute teaching in every county of this State. If an
17 individual has had his or her Professional Educator
18 License or Educator License with Stipulations suspended or
19 revoked, then that individual is not eligible to obtain a
20 Short-Term Substitute Teaching License.

21 The provisions of Sections 10-21.9 and 34-18.5 of this
22 Code apply to short-term substitute teachers.

23 An individual holding a Short-Term Substitute Teaching
24 License may teach no more than 15 consecutive days per
25 licensed teacher who is under contract. For teacher
26 absences lasting 6 or more days per licensed teacher who

1 is under contract, a school district may not hire an
2 individual holding a Short-Term Substitute Teaching
3 License, unless the Governor has declared a disaster due
4 to a public health emergency pursuant to Section 7 of the
5 Illinois Emergency Management Agency Act. An individual
6 holding a Short-Term Substitute Teaching License must
7 complete the training program under Section 10-20.67 or
8 34-18.60 of this Code to be eligible to teach at a public
9 school. Short-Term Substitute Teaching Licenses ~~Short-term~~
10 ~~substitute teaching licenses~~ under this Section are valid
11 for 5 years.

12 (Source: P.A. 102-711, eff. 1-1-23; 102-712, eff. 4-27-22;
13 102-713, eff. 1-1-23; 102-717, eff. 4-29-22; 102-894, eff.
14 5-20-22; 103-111, eff. 6-29-23; 103-154, eff. 6-30-23;
15 103-193, eff. 1-1-24; revised 9-7-23.)

16 (105 ILCS 5/22-96)

17 (This Section may contain text from a Public Act with a
18 delayed effective date)

19 Sec. 22-96 ~~22-95~~. Hiring or assigning priority.

20 (a) When hiring or assigning physical education, music,
21 and visual arts educators, a school district must prioritize
22 the hiring or assigning of educators who hold an educator
23 license and endorsement in the ~~these~~ content area to be taught
24 areas.

25 (b) A licensed ~~professional~~ educator assigned to physical

1 education, music, or visual arts who does not hold an
2 endorsement in the content area to be taught licensure
3 ~~applicant~~ must acquire short-term approval under Part 25 of
4 Title 23 of the Illinois Administrative Code by the State
5 Board of Education ~~pass the licensure content area test for~~
6 ~~the content area he or she is assigned to teach or complete at~~
7 ~~least 9 semester hours of coursework~~ in the content area to be
8 taught prior to his or her assignment or employment start
9 date. If no short-term approval is available in the content
10 area to be taught, the licensed educator shall meet equivalent
11 criteria specified by the State Board of Education. In order
12 to retain his or her employment for subsequent school years,
13 the educator ~~employee~~ must acquire the full endorsement in the
14 content area to be taught prior to the end of the validity
15 period of the short-term approval ~~complete the remaining hours~~
16 ~~of coursework in the content area in which he or she is~~
17 ~~teaching and apply for a license endorsement within 3 calendar~~
18 ~~years after his or her employment start date.~~

19 (c) In the case of a reduction in force, a school district
20 may follow its employee contract language for filling
21 positions.

22 (d) Instead of holding the credentials specified in
23 subsection (a) or (b) of this Section, an educator assigned to
24 a position under this Section may meet any requirements set
25 forth under Title 23 of the Illinois Administrative Code as
26 applicable to the content area to be taught, except that

1 subsection (b) of Section 1.710 of Title 23 of the Illinois
2 Administrative Code does not apply to an educator assigned to
3 a position under this subsection (d).

4 (Source: P.A. 103-46, eff. 1-1-24; revised 9-25-23.)

5 (105 ILCS 5/27-20.3) (from Ch. 122, par. 27-20.3)

6 Sec. 27-20.3. Holocaust and Genocide Study.

7 (a) Every public elementary school and high school shall
8 include in its curriculum a unit of instruction studying the
9 events of the Nazi atrocities of 1933 to 1945. This period in
10 world history is known as the Holocaust, during which
11 6,000,000 Jews and millions of non-Jews were exterminated. One
12 of the universal lessons of the Holocaust is that national,
13 ethnic, racial, or religious hatred can overtake any nation or
14 society, leading to calamitous consequences. To reinforce that
15 lesson, such curriculum shall include an additional unit of
16 instruction studying other acts of genocide across the globe.
17 This unit shall include, but not be limited to, the Native
18 American genocide in North America, the Armenian Genocide, the
19 Famine-Genocide in Ukraine, and more recent atrocities in
20 Cambodia, Bosnia, Rwanda, and Sudan. The studying of this
21 material is a reaffirmation of the commitment of free peoples
22 from all nations to never again permit the occurrence of
23 another Holocaust and a recognition that crimes of genocide
24 continue to be perpetrated across the globe as they have been
25 in the past and to deter indifference to crimes against

1 humanity and human suffering wherever they may occur.

2 (b) The State Superintendent of Education may prepare and
3 make available to all school boards instructional materials
4 which may be used as guidelines for development of a unit of
5 instruction under this Section; provided, however, that each
6 school board shall itself determine the minimum amount of
7 instruction time which shall qualify as a unit of instruction
8 satisfying the requirements of this Section.

9 Instructional materials that include the addition of
10 content related to the Native American genocide in North
11 America shall be prepared and made available to all school
12 boards on the State Board of Education's Internet website no
13 later than July 1, 2024 ~~January 1, 2025~~. Notwithstanding
14 subsection (a) of this Section, a school is not required to
15 teach the additional content related to the Native American
16 genocide in North America until instructional materials are
17 made available on the State Board's Internet website.

18 Instructional materials related to the Native American
19 genocide in North America shall be developed in consultation
20 with members of the Chicago American Indian Community
21 Collaborative who are members of a federally recognized tribe,
22 are documented descendants of Indigenous communities, or are
23 other persons recognized as contributing community members by
24 the Chicago American Indian Community Collaborative and who
25 currently reside in this State or their designees.

26 (Source: P.A. 103-422, eff. 8-4-23.)

1 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

2 Sec. 27-21. History of United States.

3 (a) History of the United States shall be taught in all
4 public schools and in all other educational institutions in
5 this State supported or maintained, in whole or in part, by
6 public funds.

7 The teaching of history shall have as one of its
8 objectives the imparting to pupils of a comprehensive idea of
9 our democratic form of government and the principles for which
10 our government stands as regards other nations, including the
11 studying of the place of our government in world-wide
12 movements and the leaders thereof, with particular stress upon
13 the basic principles and ideals of our representative form of
14 government.

15 The teaching of history shall include a study of the role
16 and contributions of African Americans and other ethnic
17 groups, including, but not restricted to, Native Americans,
18 Polish, Lithuanian, German, Hungarian, Irish, Bohemian,
19 Russian, Albanian, Italian, Czech, Slovak, French, Scots,
20 Hispanics, Asian Americans, etc., in the history of this
21 country and this State. To reinforce the study of the role and
22 contributions of Hispanics, such curriculum shall include the
23 study of the events related to the forceful removal and
24 illegal deportation of Mexican-American U.S. citizens during
25 the Great Depression.

1 The teaching of history shall also include teaching about
2 Native American nations' sovereignty and self-determination,
3 both historically and in the present day, with a focus on urban
4 Native Americans.

5 In public schools only, the teaching of history shall
6 include a study of the roles and contributions of lesbian,
7 gay, bisexual, and transgender people in the history of this
8 country and this State.

9 The teaching of history also shall include a study of the
10 role of labor unions and their interaction with government in
11 achieving the goals of a mixed free enterprise system.

12 Beginning with the 2020-2021 school year, the teaching of
13 history must also include instruction on the history of
14 Illinois.

15 The teaching of history shall include the contributions
16 made to society by Americans of different faith practices,
17 including, but not limited to, Native Americans, Muslim
18 Americans, Jewish Americans, Christian Americans, Hindu
19 Americans, Sikh Americans, Buddhist Americans, and any other
20 collective community of faith that has shaped America.

21 (b) No pupils shall be graduated from the eighth grade of
22 any public school unless the pupils have received instruction
23 in the history of the United States as provided in this Section
24 and give evidence of having a comprehensive knowledge thereof,
25 which may be administered remotely.

26 (c) ~~The State Superintendent of Education may prepare and~~

1 ~~make available to all school boards instructional materials~~
2 ~~that may be used as guidelines for the development of~~
3 ~~instruction under this Section; however, each school board~~
4 ~~shall itself determine the minimum amount of instructional~~
5 ~~time required for satisfying the requirements of this Section.~~

6 Instructional materials that include the addition of content
7 related to Native Americans shall be prepared by the State
8 Superintendent of Education and made available to all school
9 boards on the State Board of Education's Internet website no
10 later than July 1, 2024 ~~January 1, 2025~~. These instructional
11 materials may be used by school boards as guidelines for the
12 development of instruction under this Section; however, each
13 school board shall itself determine the minimum amount of
14 instructional time for satisfying the requirements of this
15 Section. Notwithstanding subsections (a) and (b) of this
16 Section, a school or other educational institution is not
17 required to teach and a pupil is not required to learn the
18 additional content related to Native Americans until
19 instructional materials are made available on the State
20 Board's Internet website.

21 Instructional materials related to Native Americans shall
22 be developed in consultation with members of the Chicago
23 American Indian Community Collaborative who are members of a
24 federally recognized tribe, are documented descendants of
25 Indigenous communities, or are other persons recognized as
26 contributing community members by the Chicago American Indian

1 Community Collaborative and who currently reside in this
2 State.

3 (Source: P.A. 102-411, eff. 1-1-22; 103-422, eff. 8-4-23.)

4 Section 45. The Child Care Act of 1969 is amended by
5 changing Sections 2.06 and 2.17 and by adding Section 2.35 as
6 follows:

7 (225 ILCS 10/2.06) (from Ch. 23, par. 2212.06)

8 Sec. 2.06. "Child care institution" means a child care
9 facility where more than 7 children are received and
10 maintained for the purpose of providing them with care or
11 training or both. The term "child care institution" includes
12 residential schools, primarily serving ambulatory children
13 with disabilities, and those operating a full calendar year,
14 but does not include:

15 (a) any State-operated institution for child care
16 established by legislative action;

17 (b) any juvenile detention or shelter care home
18 established and operated by any county or child protection
19 district established under the "Child Protection Act";

20 (c) any institution, home, place or facility operating
21 under a license pursuant to the Nursing Home Care Act, the
22 Specialized Mental Health Rehabilitation Act of 2013, the
23 ID/DD Community Care Act, or the MC/DD Act;

24 (d) any bona fide boarding school in which children

1 are primarily taught branches of education corresponding
2 to those taught in public schools, grades one through 12,
3 or taught in public elementary schools, high schools, or
4 both elementary and high schools, and which operates on a
5 regular academic school year basis; ~~or~~

6 (e) any facility licensed as a "group home" as defined
7 in this Act; or -

8 (f) any qualified residential treatment program.

9 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15;
10 99-180, eff. 7-29-15; 99-642, eff. 7-28-16.)

11 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

12 Sec. 2.17. "Foster family home" means the home of an
13 individual or family:

14 (1) that is licensed or approved by the state in which it
15 is situated as a foster family home that meets the standards
16 established for the licensing or approval; and

17 (2) in which a child in foster care has been placed in the
18 care of an individual who resides with the child and who has
19 been licensed or approved by the state to be a foster parent
20 and:

21 (A) who the Department of Children and Family Services
22 deems capable of adhering to the reasonable and prudent
23 parent standard;

24 (B) who provides 24-hour substitute care for children
25 placed away from their parents or other caretakers; and

1 (3) who provides the care for a facility for child care in
2 ~~residences of families who receive~~ no more than 6 children
3 ~~unrelated to them, unless all the children are of common~~
4 ~~parentage, or residences of relatives who receive no more than~~
5 ~~6 related children placed by the Department, unless the~~
6 ~~children are of common parentage, for the purpose of providing~~
7 ~~family care and training for the children on a full time~~
8 ~~basis,~~ except the Director of Children and Family Services,
9 pursuant to Department regulations, may waive the numerical
10 limitation of foster children who may be cared for in a foster
11 family home for any of the following reasons to allow: (i) ~~(1)~~
12 a parenting youth in foster care to remain with the child of
13 the parenting youth; (ii) ~~(2)~~ siblings to remain together;
14 (iii) ~~(3)~~ a child with an established meaningful relationship
15 with the family to remain with the family; or (iv) ~~(4)~~ a family
16 with special training or skills to provide care to a child who
17 has a severe disability. The family's or relative's own
18 children, under 18 years of age, shall be included in
19 determining the maximum number of children served.

20 For purposes of this Section, a "relative" includes any
21 person, 21 years of age or over, other than the parent, who (i)
22 is currently related to the child in any of the following ways
23 by blood or adoption: grandparent, sibling, great-grandparent,
24 uncle, aunt, nephew, niece, first cousin, great-uncle, or
25 great-aunt; or (ii) is the spouse of such a relative; or (iii)
26 is a child's step-father, step-mother, or adult step-brother

1 or step-sister; or (iv) is a fictive kin; "relative" also
2 includes a person related in any of the foregoing ways to a
3 sibling of a child, even though the person is not related to
4 the child, when the child and its sibling are placed together
5 with that person. For purposes of placement of children
6 pursuant to Section 7 of the Children and Family Services Act
7 and for purposes of licensing requirements set forth in
8 Section 4 of this Act, for children under the custody or
9 guardianship of the Department pursuant to the Juvenile Court
10 Act of 1987, after a parent signs a consent, surrender, or
11 waiver or after a parent's rights are otherwise terminated,
12 and while the child remains in the custody or guardianship of
13 the Department, the child is considered to be related to those
14 to whom the child was related under this Section prior to the
15 signing of the consent, surrender, or waiver or the order of
16 termination of parental rights.

17 The term "foster family home" includes homes receiving
18 children from any State-operated institution for child care;
19 or from any agency established by a municipality or other
20 political subdivision of the State of Illinois authorized to
21 provide care for children outside their own homes. The term
22 "foster family home" does not include an "adoption-only home"
23 as defined in Section 2.23 of this Act. The types of foster
24 family homes are defined as follows:

25 (a) "Boarding home" means a foster family home which
26 receives payment for regular full-time care of a child or

1 children.

2 (b) "Free home" means a foster family home other than
3 an adoptive home which does not receive payments for the
4 care of a child or children.

5 (c) "Adoptive home" means a foster family home which
6 receives a child or children for the purpose of adopting
7 the child or children, but does not include an
8 adoption-only home.

9 (d) "Work-wage home" means a foster family home which
10 receives a child or children who pay part or all of their
11 board by rendering some services to the family not
12 prohibited by the Child Labor Law or by standards or
13 regulations of the Department prescribed under this Act.
14 The child or children may receive a wage in connection
15 with the services rendered the foster family.

16 (e) "Agency-supervised home" means a foster family
17 home under the direct and regular supervision of a
18 licensed child welfare agency, of the Department of
19 Children and Family Services, of a circuit court, or of
20 any other State agency which has authority to place
21 children in child care facilities, and which receives no
22 more than 8 children, unless of common parentage, who are
23 placed and are regularly supervised by one of the
24 specified agencies.

25 (f) "Independent home" means a foster family home,
26 other than an adoptive home, which receives no more than 4

1 children, unless of common parentage, directly from
2 parents, or other legally responsible persons, by
3 independent arrangement and which is not subject to direct
4 and regular supervision of a specified agency except as
5 such supervision pertains to licensing by the Department.

6 (g) "Host home" means an emergency foster family home
7 under the direction and regular supervision of a licensed
8 child welfare agency, contracted to provide short-term
9 crisis intervention services to youth served under the
10 Comprehensive Community-Based Youth Services program,
11 under the direction of the Department of Human Services.
12 The youth shall not be under the custody or guardianship
13 of the Department pursuant to the Juvenile Court Act of
14 1987.

15 (Source: P.A. 101-63, eff. 7-12-19; 102-688, eff. 7-1-22.)

16 (225 ILCS 10/2.35 new)

17 Sec. 2.35. Qualified residential treatment program.

18 "Qualified residential treatment program" means a program
19 that:

20 (1) has a trauma-informed treatment model that is
21 designed to address the needs, including clinical needs as
22 appropriate, of children with serious emotional or
23 behavioral disorders or disturbances and, with respect to
24 a child, is able to implement the treatment identified for
25 the child by the assessment of the child required under 42

1 U.S.C. 675a(c);

2 (2) whether by acquisition of direct employment or
3 otherwise, has registered or licensed nursing staff and
4 other licensed clinical staff who:

5 (A) provide care within the scope of their
6 practice as defined by law;

7 (B) are located on-site; and

8 (C) are available 24 hours a day, 7 days a week;

9 (3) to the extent appropriate, and in accordance with
10 the child's best interests, facilitates participation of
11 family members in the child's treatment program;

12 (4) facilitates outreach to the family members of the
13 child, including siblings, documents how the outreach is
14 made, including contact information, and maintains contact
15 information for any known biological family and fictive
16 kin of the child;

17 (5) documents how family members are integrated into
18 the treatment process for the child, including
19 post-discharge, and how sibling connections are
20 maintained;

21 (6) provides discharge planning and family-based
22 aftercare support for at least 6 months post-discharge;
23 and

24 (7) is licensed in accordance with this Act and is
25 accredited by any of the following independent,
26 not-for-profit organizations:

1 (A) the Commission on Accreditation of
2 Rehabilitation Facilities;
3 (B) the Joint Commission;
4 (C) the Council on Accreditation; or
5 (D) any other independent, not-for-profit
6 accrediting organization approved by the Secretary of
7 Health and Human Services as described in 42 U.S.C.
8 672 (k) (4).

9 Section 50. The Laser System Act of 1997 is amended by
10 changing Section 16 as follows:

11 (420 ILCS 56/16)

12 Sec. 16. Laser safety officers.

13 (a) Each laser installation ~~whose function is for the use~~
14 ~~of a temporary laser display~~ shall use a laser safety officer.

15 (b) The Agency shall adopt rules specifying minimum
16 training and experience requirements for laser safety
17 officers. The requirements shall be specific to the evaluation
18 and control of laser hazards for different types of laser
19 systems and the purpose for which a laser system is used.

20 (c) If a laser safety officer encounters noncompliance
21 with this Act or rules adopted under this Act in the course of
22 performing duties as a laser safety officer, then the laser
23 safety officer shall report that noncompliance to the Agency
24 as soon as practical to protect public health and safety.

1 (d) No person may act as a laser safety officer or
2 advertise or use any title implying qualification as a laser
3 safety officer unless the person meets the training and
4 experience requirements of this Act and the training and
5 experience requirements established by the Agency under
6 subsection (b).

7 (Source: P.A. 103-277, eff. 7-28-23.)

8 Section 55. The Juvenile Court Act of 1987 is amended by
9 changing Section 1-3 as follows:

10 (705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

11 Sec. 1-3. Definitions. Terms used in this Act, unless the
12 context otherwise requires, have the following meanings
13 ascribed to them:

14 (1) "Adjudicatory hearing" means a hearing to determine
15 whether the allegations of a petition under Section 2-13,
16 3-15, or 4-12 that a minor under 18 years of age is abused,
17 neglected, or dependent, or requires authoritative
18 intervention, or addicted, respectively, are supported by a
19 preponderance of the evidence or whether the allegations of a
20 petition under Section 5-520 that a minor is delinquent are
21 proved beyond a reasonable doubt.

22 (2) "Adult" means a person 21 years of age or older.

23 (3) "Agency" means a public or private child care facility
24 legally authorized or licensed by this State for placement or

1 institutional care or for both placement and institutional
2 care.

3 (4) "Association" means any organization, public or
4 private, engaged in welfare functions which include services
5 to or on behalf of children but does not include "agency" as
6 herein defined.

7 (4.05) Whenever a "best interest" determination is
8 required, the following factors shall be considered in the
9 context of the child's age and developmental needs:

10 (a) the physical safety and welfare of the child,
11 including food, shelter, health, and clothing;

12 (b) the development of the child's identity;

13 (c) the child's background and ties, including
14 familial, cultural, and religious;

15 (d) the child's sense of attachments, including:

16 (i) where the child actually feels love,
17 attachment, and a sense of being valued (as opposed to
18 where adults believe the child should feel such love,
19 attachment, and a sense of being valued);

20 (ii) the child's sense of security;

21 (iii) the child's sense of familiarity;

22 (iv) continuity of affection for the child;

23 (v) the least disruptive placement alternative for
24 the child;

25 (e) the child's wishes and long-term goals;

26 (f) the child's community ties, including church,

1 school, and friends;

2 (g) the child's need for permanency which includes the
3 child's need for stability and continuity of relationships
4 with parent figures and with siblings and other relatives;

5 (h) the uniqueness of every family and child;

6 (i) the risks attendant to entering and being in
7 substitute care; and

8 (j) the preferences of the persons available to care
9 for the child.

10 (4.1) "Chronic truant" shall have the definition ascribed
11 to it in Section 26-2a of the School Code.

12 (5) "Court" means the circuit court in a session or
13 division assigned to hear proceedings under this Act.

14 (6) "Dispositional hearing" means a hearing to determine
15 whether a minor should be adjudged to be a ward of the court,
16 and to determine what order of disposition should be made in
17 respect to a minor adjudged to be a ward of the court.

18 (6.5) "Dissemination" or "disseminate" means to publish,
19 produce, print, manufacture, distribute, sell, lease, exhibit,
20 broadcast, display, transmit, or otherwise share information
21 in any format so as to make the information accessible to
22 others.

23 (7) "Emancipated minor" means any minor 16 years of age or
24 over who has been completely or partially emancipated under
25 the Emancipation of Minors Act or under this Act.

26 (7.03) "Expunge" means to physically destroy the records

1 and to obliterate the minor's name from any official index,
2 public record, or electronic database.

3 (7.05) "Foster parent" includes a relative caregiver
4 selected by the Department of Children and Family Services to
5 provide care for the minor.

6 (8) "Guardianship of the person" of a minor means the duty
7 and authority to act in the best interests of the minor,
8 subject to residual parental rights and responsibilities, to
9 make important decisions in matters having a permanent effect
10 on the life and development of the minor and to be concerned
11 with the minor's general welfare. It includes but is not
12 necessarily limited to:

13 (a) the authority to consent to marriage, to
14 enlistment in the armed forces of the United States, or to
15 a major medical, psychiatric, and surgical treatment; to
16 represent the minor in legal actions; and to make other
17 decisions of substantial legal significance concerning the
18 minor;

19 (b) the authority and duty of reasonable visitation,
20 except to the extent that these have been limited in the
21 best interests of the minor by court order;

22 (c) the rights and responsibilities of legal custody
23 except where legal custody has been vested in another
24 person or agency; and

25 (d) the power to consent to the adoption of the minor,
26 but only if expressly conferred on the guardian in

1 accordance with Section 2-29, 3-30, or 4-27.

2 (8.1) "Juvenile court record" includes, but is not limited
3 to:

4 (a) all documents filed in or maintained by the
5 juvenile court pertaining to a specific incident,
6 proceeding, or individual;

7 (b) all documents relating to a specific incident,
8 proceeding, or individual made available to or maintained
9 by probation officers;

10 (c) all documents, video or audio tapes, photographs,
11 and exhibits admitted into evidence at juvenile court
12 hearings; or

13 (d) all documents, transcripts, records, reports, or
14 other evidence prepared by, maintained by, or released by
15 any municipal, county, or State agency or department, in
16 any format, if indicating involvement with the juvenile
17 court relating to a specific incident, proceeding, or
18 individual.

19 (8.2) "Juvenile law enforcement record" includes records
20 of arrest, station adjustments, fingerprints, probation
21 adjustments, the issuance of a notice to appear, or any other
22 records or documents maintained by any law enforcement agency
23 relating to a minor suspected of committing an offense, and
24 records maintained by a law enforcement agency that identifies
25 a juvenile as a suspect in committing an offense, but does not
26 include records identifying a juvenile as a victim, witness,

1 or missing juvenile and any records created, maintained, or
2 used for purposes of referral to programs relating to
3 diversion as defined in subsection (6) of Section 5-105.

4 (9) "Legal custody" means the relationship created by an
5 order of court in the best interests of the minor which imposes
6 on the custodian the responsibility of physical possession of
7 a minor and the duty to protect, train and discipline the minor
8 and to provide the minor with food, shelter, education, and
9 ordinary medical care, except as these are limited by residual
10 parental rights and responsibilities and the rights and
11 responsibilities of the guardian of the person, if any.

12 (9.1) "Mentally capable adult relative" means a person 21
13 years of age or older who is not suffering from a mental
14 illness that prevents the person from providing the care
15 necessary to safeguard the physical safety and welfare of a
16 minor who is left in that person's care by the parent or
17 parents or other person responsible for the minor's welfare.

18 (10) "Minor" means a person under the age of 21 years
19 subject to this Act.

20 (11) "Parent" means a father or mother of a child and
21 includes any adoptive parent. It also includes a person (i)
22 whose parentage is presumed or has been established under the
23 law of this or another jurisdiction or (ii) who has registered
24 with the Putative Father Registry in accordance with Section
25 12.1 of the Adoption Act and whose paternity has not been ruled
26 out under the law of this or another jurisdiction. It does not

1 include a parent whose rights in respect to the minor have been
2 terminated in any manner provided by law. It does not include a
3 person who has been or could be determined to be a parent under
4 the Illinois Parentage Act of 1984 or the Illinois Parentage
5 Act of 2015, or similar parentage law in any other state, if
6 that person has been convicted of or pled nolo contendere to a
7 crime that resulted in the conception of the child under
8 Section 11-1.20, 11-1.30, 11-1.40, 11-11, 12-13, 12-14,
9 12-14.1, subsection (a) or (b) (but not subsection (c)) of
10 Section 11-1.50 or 12-15, or subsection (a), (b), (c), (e), or
11 (f) (but not subsection (d)) of Section 11-1.60 or 12-16 of the
12 Criminal Code of 1961 or the Criminal Code of 2012, or similar
13 statute in another jurisdiction unless upon motion of any
14 party, other than the offender, to the juvenile court
15 proceedings the court finds it is in the child's best interest
16 to deem the offender a parent for purposes of the juvenile
17 court proceedings.

18 (11.1) "Permanency goal" means a goal set by the court as
19 defined in subdivision (2) of Section 2-28.

20 (11.2) "Permanency hearing" means a hearing to set the
21 permanency goal and to review and determine (i) the
22 appropriateness of the services contained in the plan and
23 whether those services have been provided, (ii) whether
24 reasonable efforts have been made by all the parties to the
25 service plan to achieve the goal, and (iii) whether the plan
26 and goal have been achieved.

1 (12) "Petition" means the petition provided for in Section
2 2-13, 3-15, 4-12u or 5-520, including any supplemental
3 petitions thereunder in Section 3-15, 4-12u or 5-520.

4 (12.1) "Physically capable adult relative" means a person
5 21 years of age or older who does not have a severe physical
6 disability or medical condition, or is not suffering from
7 alcoholism or drug addiction, that prevents the person from
8 providing the care necessary to safeguard the physical safety
9 and welfare of a minor who is left in that person's care by the
10 parent or parents or other person responsible for the minor's
11 welfare.

12 (12.2) "Post Permanency Sibling Contact Agreement" has the
13 meaning ascribed to the term in Section 7.4 of the Children and
14 Family Services Act.

15 (12.3) "Residential treatment center" means a licensed
16 setting that provides 24-hour care to children in a group home
17 or institution, including a facility licensed as a child care
18 institution under Section 2.06 of the Child Care Act of 1969, a
19 licensed group home under Section 2.16 of the Child Care Act of
20 1969, a qualified residential treatment program under Section
21 2.35 of the Child Care Act of 1969, a secure child care
22 facility as defined in paragraph (18) of this Section, or any
23 similar facility in another state. "Residential treatment
24 center" does not include a relative foster home or a licensed
25 foster family home.

26 (13) "Residual parental rights and responsibilities" means

1 those rights and responsibilities remaining with the parent
2 after the transfer of legal custody or guardianship of the
3 person, including, but not necessarily limited to, the right
4 to reasonable visitation (which may be limited by the court in
5 the best interests of the minor as provided in subsection
6 (8) (b) of this Section), the right to consent to adoption, the
7 right to determine the minor's religious affiliation, and the
8 responsibility for the minor's support.

9 (14) "Shelter" means the temporary care of a minor in
10 physically unrestricting facilities pending court disposition
11 or execution of court order for placement.

12 (14.05) "Shelter placement" means a temporary or emergency
13 placement for a minor, including an emergency foster home
14 placement.

15 (14.1) "Sibling Contact Support Plan" has the meaning
16 ascribed to the term in Section 7.4 of the Children and Family
17 Services Act.

18 (14.2) "Significant event report" means a written document
19 describing an occurrence or event beyond the customary
20 operations, routines, or relationships in the Department of
21 Children of Family Services, a child care facility, or other
22 entity that is licensed or regulated by the Department of
23 Children of Family Services or that provides services for the
24 Department of Children of Family Services under a grant,
25 contract, or purchase of service agreement; involving children
26 or youth, employees, foster parents, or relative caregivers;

1 allegations of abuse or neglect or any other incident raising
2 a concern about the well-being of a minor under the
3 jurisdiction of the court under Article II of the Juvenile
4 Court Act of 1987; incidents involving damage to property,
5 allegations of criminal activity, misconduct, or other
6 occurrences affecting the operations of the Department of
7 Children of Family Services or a child care facility; any
8 incident that could have media impact; and unusual incidents
9 as defined by Department of Children and Family Services rule.

10 (15) "Station adjustment" means the informal handling of
11 an alleged offender by a juvenile police officer.

12 (16) "Ward of the court" means a minor who is so adjudged
13 under Section 2-22, 3-23, 4-201, or 5-705, after a finding of
14 the requisite jurisdictional facts, and thus is subject to the
15 dispositional powers of the court under this Act.

16 (17) "Juvenile police officer" means a sworn police
17 officer who has completed a Basic Recruit Training Course, has
18 been assigned to the position of juvenile police officer by
19 the officer's chief law enforcement officer and has completed
20 the necessary juvenile officers training as prescribed by the
21 Illinois Law Enforcement Training Standards Board, or in the
22 case of a State police officer, juvenile officer training
23 approved by the Director of the Illinois State Police.

24 (18) "Secure child care facility" means any child care
25 facility licensed by the Department of Children and Family
26 Services to provide secure living arrangements for children

1 under 18 years of age who are subject to placement in
2 facilities under the Children and Family Services Act and who
3 are not subject to placement in facilities for whom standards
4 are established by the Department of Corrections under Section
5 3-15-2 of the Unified Code of Corrections. "Secure child care
6 facility" also means a facility that is designed and operated
7 to ensure that all entrances and exits from the facility, a
8 building, or a distinct part of the building are under the
9 exclusive control of the staff of the facility, whether or not
10 the child has the freedom of movement within the perimeter of
11 the facility, building, or distinct part of the building.

12 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23;
13 revised 9-20-23.)

14 Section 60. The Crime Victims Compensation Act is amended
15 by changing Sections 2 and 10.1 as follows:

16 (740 ILCS 45/2)

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

19 (a) "Applicant" means any of the following claiming
20 compensation under this Act: a victim, a person who was a
21 dependent of a deceased victim of a crime of violence for the
22 person's support at the time of the death of that victim, a
23 person who legally assumes the obligation or who voluntarily
24 pays the medical or the funeral or burial expenses incurred as

1 ~~a direct result of the crime, and any other person who applies~~
2 ~~for compensation under this Act or any person the Court of~~
3 ~~Claims or the Attorney General finds is entitled to~~
4 ~~compensation, including the guardian of a minor or of a person~~
5 ~~under legal disability. It includes any person who was a~~
6 ~~dependent of a deceased victim of a crime of violence for his~~
7 ~~or her support at the time of the death of that victim.~~

8 The changes made to this subsection by Public Act 101-652
9 apply to actions commenced or pending on or after January 1,
10 2022.

11 (b) "Court of Claims" means the Court of Claims created by
12 the Court of Claims Act.

13 (c) "Crime of violence" means and includes any offense
14 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
15 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
16 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,
17 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4,
18 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13,
19 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1,
20 or Section 12-3.05 except for subdivision (a) (4) or (g) (1), or
21 subdivision (a) (4) of Section 11-14.4, of the Criminal Code of
22 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
23 the Cemetery Protection Act, Section 125 of the Stalking No
24 Contact Order Act, Section 219 of the Civil No Contact Order
25 Act, driving under the influence as defined in Section 11-501
26 of the Illinois Vehicle Code, a violation of Section 11-401 of

1 the Illinois Vehicle Code, provided the victim was a
2 pedestrian or was operating a vehicle moved solely by human
3 power or a mobility device at the time of contact, and a
4 violation of Section 11-204.1 of the Illinois Vehicle Code; so
5 long as the offense did not occur during a civil riot,
6 insurrection or rebellion. "Crime of violence" does not
7 include any other offense or crash involving a motor vehicle
8 except those vehicle offenses specifically provided for in
9 this paragraph. "Crime of violence" does include all of the
10 offenses specifically provided for in this paragraph that
11 occur within this State but are subject to federal
12 jurisdiction and crimes involving terrorism as defined in 18
13 U.S.C. 2331.

14 (d) "Victim" means (1) a person killed or injured in this
15 State as a result of a crime of violence perpetrated or
16 attempted against him or her, (2) the spouse, parent, or child
17 of a person killed or injured in this State as a result of a
18 crime of violence perpetrated or attempted against the person,
19 or anyone living in the household of a person killed or injured
20 in a relationship that is substantially similar to that of a
21 parent, spouse, or child, (3) a person killed or injured in
22 this State while attempting to assist a person against whom a
23 crime of violence is being perpetrated or attempted, if that
24 attempt of assistance would be expected of a reasonable person
25 under the circumstances, (4) a person killed or injured in
26 this State while assisting a law enforcement official

1 apprehend a person who has perpetrated a crime of violence or
2 prevent the perpetration of any such crime if that assistance
3 was in response to the express request of the law enforcement
4 official, (5) a person who personally witnessed a violent
5 crime, (5.05) a person who will be called as a witness by the
6 prosecution to establish a necessary nexus between the
7 offender and the violent crime, (5.1) solely for the purpose
8 of compensating for pecuniary loss incurred for psychological
9 treatment of a mental or emotional condition caused or
10 aggravated by the crime, any other person under the age of 18
11 who is the brother, sister, half brother, or half sister of a
12 person killed or injured in this State as a result of a crime
13 of violence, (6) an Illinois resident who is a victim of a
14 "crime of violence" as defined in this Act except, if the crime
15 occurred outside this State, the resident has the same rights
16 under this Act as if the crime had occurred in this State upon
17 a showing that the state, territory, country, or political
18 subdivision of a country in which the crime occurred does not
19 have a compensation of victims of crimes law for which that
20 Illinois resident is eligible, (7) the parent, spouse, or
21 child of a deceased person whose body is dismembered or whose
22 remains are desecrated as the result of a crime of violence, or
23 (8) (blank) ~~solely for the purpose of compensating for~~
24 ~~pecuniary loss incurred for psychological treatment of a~~
25 ~~mental or emotional condition caused or aggravated by the~~
26 ~~crime, any parent, spouse, or child under the age of 18 of a~~

1 ~~deceased person whose body is dismembered or whose remains are~~
2 ~~desecrated as the result of a crime of violence.~~

3 (e) "Dependent" means a relative of a deceased victim who
4 was wholly or partially dependent upon the victim's income at
5 the time of his or her death and shall include the child of a
6 victim born after his or her death.

7 (f) "Relative" means a spouse, parent, grandparent,
8 stepfather, stepmother, child, grandchild, brother,
9 brother-in-law, sister, sister-in-law, half brother, half
10 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
11 living in the household of a person killed or injured in a
12 relationship that is substantially similar to that of a
13 parent, spouse, or child.

14 (g) "Child" means a son or daughter and includes a
15 stepchild, an adopted child or a child born out of wedlock.

16 (h) "Pecuniary loss" means:7

17 (1) in the case of injury, appropriate medical
18 expenses and hospital expenses including expenses of
19 medical examinations, rehabilitation, medically required
20 nursing care expenses, appropriate psychiatric care or
21 psychiatric counseling expenses, appropriate expenses for
22 care or counseling by a licensed clinical psychologist,
23 licensed clinical social worker, licensed professional
24 counselor, or licensed clinical professional counselor and
25 expenses for treatment by Christian Science practitioners
26 and nursing care appropriate thereto;

1 (2) transportation expenses to and from medical and
2 counseling treatment facilities;

3 (3) prosthetic appliances, eyeglasses, and hearing
4 aids necessary or damaged as a result of the crime;

5 (4) expenses incurred for the towing and storage of a
6 victim's vehicle in connection with a crime of violence,
7 to a maximum of \$1,000;

8 (5) costs associated with trafficking tattoo removal
9 by a person authorized or licensed to perform the specific
10 removal procedure;

11 (6) replacement costs for clothing and bedding used as
12 evidence;

13 (7) costs associated with temporary lodging or
14 relocation necessary as a result of the crime, including,
15 but not limited to, the first 2 months' ~~month's~~ rent and
16 security deposit of the dwelling that the claimant
17 relocated to and other reasonable relocation expenses
18 incurred as a result of the violent crime;

19 (8) locks or windows necessary or damaged as a result
20 of the crime;

21 (9) the purchase, lease, or rental of equipment
22 necessary to create usability of and accessibility to the
23 victim's real and personal property, or the real and
24 personal property which is used by the victim, necessary
25 as a result of the crime; "real and personal property"
26 includes, but is not limited to, vehicles, houses,

1 apartments, townhouses, or condominiums;

2 (10) the costs of appropriate crime scene clean-up;

3 (11) replacement services loss, to a maximum of \$1,250
4 per month, with this amount to be divided in proportion to
5 the amount of the actual loss among those entitled to
6 compensation;

7 (12) dependents replacement services loss, to a
8 maximum of \$1,250 per month, with this amount to be
9 divided in proportion to the amount of the actual loss
10 among those entitled to compensation;

11 (13) loss of tuition paid to attend grammar school or
12 high school when the victim had been enrolled as a student
13 prior to the injury, or college or graduate school when
14 the victim had been enrolled as a day or night student
15 prior to the injury when the victim becomes unable to
16 continue attendance at school as a result of the crime of
17 violence perpetrated against him or her;

18 (14) loss of earnings, loss of future earnings because
19 of disability resulting from the injury. Loss of future
20 earnings shall be reduced by any income from substitute
21 work actually performed by the victim or by income the
22 victim would have earned in available appropriate
23 substitute work the victim was capable of performing but
24 unreasonably failed to undertake; loss of earnings and
25 loss of future earnings shall be determined on the basis
26 of the victim's average net monthly earnings for the 6

1 months immediately preceding the date of the injury or on
2 \$2,400 per month, whichever is less, or, in cases where
3 the absences commenced more than 3 years from the date of
4 the crime, on the basis of the net monthly earnings for the
5 6 months immediately preceding the date of the first
6 absence, not to exceed \$2,400 per month;~~7~~

7 (15) loss of support of the dependents of the victim.
8 Loss of support shall be determined on the basis of the
9 victim's average net monthly earnings for the 6 months
10 immediately preceding the date of the injury or on \$2,400
11 per month, whichever is less, or, in cases where the
12 absences commenced more than 3 years from the date of the
13 crime, on the basis of the net monthly earnings for the 6
14 months immediately preceding the date of the first
15 absence, not to exceed \$2,400 per month. If a divorced or
16 legally separated applicant is claiming loss of support
17 for a minor child of the deceased, the amount of support
18 for each child shall be based either on the amount of
19 support pursuant to the judgment prior to the date of the
20 deceased victim's injury or death, or, if the subject of
21 pending litigation filed by or on behalf of the divorced
22 or legally separated applicant prior to the injury or
23 death, on the result of that litigation. Loss of support
24 for minors shall be divided in proportion to the amount of
25 the actual loss among those entitled to such compensation;

26 (16) ~~and, in addition,~~ in the case of death, expenses

1 for reasonable funeral, burial, and travel and transport
2 for survivors of homicide victims to secure bodies of
3 deceased victims and to transport bodies for burial all of
4 which may be awarded up to a maximum of \$10,000 for each
5 victim. Other individuals that have paid or become
6 obligated to pay funeral or burial expenses for the
7 deceased shall share a maximum award of \$10,000, with the
8 award divided in proportion to the amount of the actual
9 loss among those entitled to compensation; and ~~and loss of~~
10 ~~support of the dependents of the victim;~~

11 (17) in the case of dismemberment or desecration of a
12 body, expenses for reasonable funeral and burial, all of
13 which may be awarded up to a maximum of \$10,000 for each
14 victim. Other individuals that have paid or become
15 obligated to pay funeral or burial expenses for the
16 deceased shall share a maximum award of \$10,000, with the
17 award divided in proportion to the amount of the actual
18 loss among those entitled to compensation. ~~Loss of future~~
19 ~~earnings shall be reduced by any income from substitute~~
20 ~~work actually performed by the victim or by income he or~~
21 ~~she would have earned in available appropriate substitute~~
22 ~~work he or she was capable of performing but unreasonably~~
23 ~~failed to undertake. Loss of earnings, loss of future~~
24 ~~earnings and loss of support shall be determined on the~~
25 ~~basis of the victim's average net monthly earnings for the~~
26 ~~6 months immediately preceding the date of the injury or~~

1 ~~on \$2,400 per month, whichever is less or, in cases where~~
2 ~~the absences commenced more than 3 years from the date of~~
3 ~~the crime, on the basis of the net monthly earnings for the~~
4 ~~6 months immediately preceding the date of the first~~
5 ~~absence, not to exceed \$2,400 per month. If a divorced or~~
6 ~~legally separated applicant is claiming loss of support~~
7 ~~for a minor child of the deceased, the amount of support~~
8 ~~for each child shall be based either on the amount of~~
9 ~~support pursuant to the judgment prior to the date of the~~
10 ~~deceased victim's injury or death, or, if the subject of~~
11 ~~pending litigation filed by or on behalf of the divorced~~
12 ~~or legally separated applicant prior to the injury or~~
13 ~~death, on the result of that litigation. Real and personal~~
14 ~~property includes, but is not limited to, vehicles,~~
15 ~~houses, apartments, town houses, or condominiums.~~

16 "Pecuniary loss" does not include pain and suffering or
17 property loss or damage.

18 The changes made to this subsection by Public Act 101-652
19 apply to actions commenced or pending on or after January 1,
20 2022.

21 (i) "Replacement services loss" means expenses reasonably
22 incurred in obtaining ordinary and necessary services in lieu
23 of those the injured person would have performed, not for
24 income, but for the benefit of himself or herself or his or her
25 family, if he or she had not been injured.

26 (j) "Dependents replacement services loss" means loss

1 reasonably incurred by dependents or private legal guardians
2 of minor dependents after a victim's death in obtaining
3 ordinary and necessary services in lieu of those the victim
4 would have performed, not for income, but for their benefit,
5 if he or she had not been fatally injured.

6 (k) "Survivor" means immediate family including a parent,
7 stepfather, stepmother, child, brother, sister, or spouse.

8 (l) "Parent" means a natural parent, adopted parent,
9 stepparent, or permanent legal guardian of another person.

10 (m) "Trafficking tattoo" is a tattoo which is applied to a
11 victim in connection with the commission of a violation of
12 Section 10-9 of the Criminal Code of 2012.

13 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
14 102-982, eff. 7-1-23; 103-154, eff. 6-30-23.)

15 (740 ILCS 45/10.1) (from Ch. 70, par. 80.1)

16 Sec. 10.1. Award Amount of compensation. The awarding of
17 compensation and the amount of compensation to which an
18 applicant and other persons are entitled shall be based on the
19 following factors:

20 (a) Each ~~A~~ victim may be compensated for his or her
21 pecuniary loss up the maximum amount allowable.

22 (b) Each ~~A~~ dependent may be compensated for loss of
23 support, as provided in paragraph (15) of subsection (h)
24 of Section 2.

25 (c) Any person, even though not dependent upon the

1 victim for his or her support, may be compensated for
2 reasonable expenses of the victim to the extent to which
3 he or she has paid or become obligated to pay such expenses
4 and only after compensation for reasonable funeral,
5 medical and hospital expenses of the victim have been
6 awarded may compensation be made for reasonable expenses
7 of the victim incurred for psychological treatment of a
8 mental or emotional condition caused or aggravated by the
9 crime. Persons that have paid or become obligated to pay
10 expenses for a victim shall share the maximum award with
11 the amount divided in proportion to the amount of the
12 actual loss among those entitled to compensation.

13 (d) An award shall be reduced or denied according to
14 the extent to which the victim's injury or death was
15 caused by provocation or incitement by the victim or the
16 victim assisting, attempting, or committing a criminal
17 act. A denial or reduction shall not automatically bar the
18 survivors of homicide victims from receiving compensation
19 for counseling, crime scene cleanup, relocation, funeral
20 or burial costs, and loss of support if the survivor's
21 actions have not initiated, provoked, or aggravated the
22 suspect into initiating the qualifying crime.

23 (e) An award shall be reduced by the amount of
24 benefits, payments or awards payable under those sources
25 which are required to be listed under item (7) of Section
26 7.1(a) and any other sources except annuities, pension

1 plans, Federal Social Security payments payable to
2 dependents of the victim and the net proceeds of the first
3 \$25,000 of life insurance that would inure to the benefit
4 of the applicant, which the applicant or any other person
5 dependent for the support of a deceased victim, as the
6 case may be, has received or to which he or she is entitled
7 as a result of injury to or death of the victim.

8 (f) A final award shall not exceed \$10,000 for a crime
9 committed prior to September 22, 1979, \$15,000 for a crime
10 committed on or after September 22, 1979 and prior to
11 January 1, 1986, \$25,000 for a crime committed on or after
12 January 1, 1986 and prior to August 7, 1998, \$27,000 for a
13 crime committed on or after August 7, 1998 and prior to
14 August 7, 2022, or \$45,000 per victim for a crime
15 committed on or after August 7, 2022. For any applicant
16 who is not a victim, if ~~if~~ the total pecuniary loss is
17 greater than the maximum amount allowed, the award shall
18 be divided in proportion to the amount of actual loss
19 among those entitled to compensation who are not victims.

20 (g) Compensation under this Act is a secondary source
21 of compensation and the applicant must show that he or she
22 has exhausted the benefits reasonably available under the
23 Criminal Victims' Escrow Account Act or any governmental
24 or medical or health insurance programs, including, but
25 not limited to, Workers' Compensation, the Federal
26 Medicare program, the State Public Aid program, Social

1 Security Administration burial benefits, and Veterans
2 Administration burial benefits, and life, health,
3 accident, full vehicle coverage (including towing
4 insurance, if available), or liability insurance.

5 (Source: P.A. 102-27, eff. 1-1-22; 102-905, eff. 1-1-23.)

6 Section 65. The Day and Temporary Labor Services Act is
7 amended by changing Section 42 as follows:

8 (820 ILCS 175/42)

9 Sec. 42. Equal pay for equal work. A day or temporary
10 laborer who is assigned to work at a third party client for
11 more than 90 calendar days shall be paid not less than the rate
12 of pay and equivalent benefits as the lowest paid directly
13 hired employee of the third party client with the same level of
14 seniority at the company and performing the same or
15 substantially similar work on jobs the performance of which
16 requires substantially similar skill, effort, and
17 responsibility, and that are performed under similar working
18 conditions. If there is not a directly hired comparative
19 employee of the third party client, the day or temporary
20 laborer shall be paid not less than the rate of pay and
21 equivalent benefits of the lowest paid direct hired employee
22 of the company with the closest level of seniority at the
23 company. A day and temporary labor service agency may pay the
24 hourly cash equivalent of the actual cost benefits in lieu of

1 benefits required under this Section. Upon request, a third
2 party client to which a day or temporary laborer has been
3 assigned for more than 90 calendar days shall be obligated to
4 timely provide the day and temporary labor service agency with
5 all necessary information related to job duties, pay, and
6 benefits of directly hired employees necessary for the day and
7 temporary labor service agency to comply with this Section.
8 The failure by a third party client to provide any of the
9 information required under this Section shall constitute a
10 notice violation by the third party client under Section 95.
11 For purposes of this Section, the day and temporary labor
12 service agency shall be considered a person aggrieved as
13 described in Section 95. For the purposes of this Section, the
14 calculation of the 90 calendar days may not begin until April
15 1, 2024.

16 (Source: P.A. 103-437, eff. 8-4-23.)

17 Section 95. No acceleration or delay. Where this Act makes
18 changes in a statute that is represented in this Act by text
19 that is not yet or no longer in effect (for example, a Section
20 represented by multiple versions), the use of that text does
21 not accelerate or delay the taking effect of (i) the changes
22 made by this Act or (ii) provisions derived from any other
23 Public Act.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.