



Sen. Patrick J. Joyce

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10300HB3641sam001

LRB103 30390 AWJ 65252 a

1 AMENDMENT TO HOUSE BILL 3641

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3641 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Employees Group Insurance Act of  
5 1971 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  
13 injectable medicines prescribed on-label or off-label to  
14 improve glucose or weight loss for use by adults diagnosed or  
15 previously diagnosed with prediabetes, gestational diabetes,  
16 or obesity. To continue to qualify for coverage under this

1 Section, the continued treatment must be medically necessary,  
2 and covered members must, if given advance, written notice,  
3 participate in a lifestyle management plan administered by  
4 their health plan. This Section does not apply to individuals  
5 covered by a Medicare Advantage Prescription Drug Plan.

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

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

9 (20 ILCS 505/5.46)

10 Sec. 5.46. Application for Social Security benefits,  
11 Supplemental Security Income, Veterans benefits, and Railroad  
12 Retirement benefits.

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

14 "Achieving a Better Life Experience Account" or "ABLE  
15 account" means an account established for the purpose of  
16 financing certain qualified expenses of eligible individuals  
17 as specifically provided for in Section 529A of the Internal  
18 Revenue Code and Section 16.6 of the State Treasurer Act.

19 "Benefits" means Social Security benefits, Supplemental  
20 Security Income, Veterans benefits, and Railroad Retirement  
21 benefits.

22 "DCFS Guardianship Administrator" means a Department  
23 representative appointed as guardian of the person or legal  
24 custodian of the minor youth in care.

1 "Youth's attorney and guardian ad litem" means the person  
2 appointed as the youth's attorney or guardian ad litem in  
3 accordance with the Juvenile Court Act of 1987 in the  
4 proceeding in which the Department is appointed as the youth's  
5 guardian or custodian.

6 (b) Application for benefits.

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

21 (2) When applying for benefits under this Section for  
22 a youth in care the Department shall identify a  
23 representative payee in accordance with the requirements  
24 of 20 CFR 404.2021 and 416.621. If the Department is  
25 seeking to be appointed as the youth's representative  
26 payee, the Department must consider input, if provided,

1 from the youth's attorney and guardian ad litem regarding  
2 whether another representative payee, consistent with the  
3 requirements of 20 CFR 404.2021 and 416.621, is available.  
4 If the Department serves as the representative payee for a  
5 youth over the age of 18, the Department shall request a  
6 court order, as described in subparagraph (C) of paragraph  
7 (1) of subsection (d) and in subparagraph (C) of paragraph  
8 (2) of subsection (d).

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

13 (1) any application for or any application to become  
14 representative payee for benefits on behalf of a youth in  
15 care;

16 (2) beginning January 1, 2025, any communications from  
17 the Social Security Administration, the U.S. Department of  
18 Veterans Affairs, or the Railroad Retirement Board  
19 pertaining to the acceptance or denial of benefits or the  
20 selection of a representative payee; and

21 (3) beginning January 1, 2025, any appeal or other  
22 action requested by the Department regarding an  
23 application for benefits.

24 (d) Use of benefits. Consistent with federal law, when the  
25 Department serves as the representative payee for a youth  
26 receiving benefits and receives benefits on the youth's

1 behalf, the Department shall:

2 (1) Beginning January 1, 2024 ~~2023~~, ensure that when  
3 the youth attains the age of 14 years and until the  
4 Department no longer serves as the representative payee, a  
5 minimum percentage of the youth's Supplemental Security  
6 Income benefits are conserved in accordance with paragraph  
7 (4) as follows:

8 (A) From the age of 14 through age 15, at least  
9 40%.

10 (B) From the age of 16 through age 17, at least  
11 80%.

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

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

1       applicable, as follows:

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

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

6               (C) From the age of 18 ~~through 20~~, 100%. If  
7               establishment of an ABLE account is necessary to  
8               conserve benefits for youth age 18 and older, then  
9               benefits shall be conserved in accordance with  
10              paragraph (4) when a court order has been entered  
11              expressly authorizing the DCFS Guardianship  
12              Administrator to serve as the designated  
13              representative to establish an ABLE account on behalf  
14              of a youth, ~~when a court order has been entered~~  
15              ~~expressly allowing the Department to have the~~  
16              ~~authority to establish and serve as an authorized~~  
17              ~~agent of the youth over the age of 18 with respect to~~  
18              ~~an account established in accordance with paragraph~~  
19              ~~(4).~~

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

1           (4) Appropriately monitor any federal asset or  
2 resource limits for the Supplemental Security Income  
3 benefits and ensure that the youth's best interest is  
4 served by using or conserving the benefits in a way that  
5 avoids violating any federal asset or resource limits that  
6 would affect the youth's eligibility to receive the  
7 benefits, including, but not limited to:

8           ~~(A) applying to the Social Security Administration~~  
9 ~~to establish a Plan to Achieve Self Support (PASS)~~  
10 ~~Account for the youth under the Social Security Act~~  
11 ~~and determining whether it is in the best interest of~~  
12 ~~the youth to conserve all or parts of the benefits in~~  
13 ~~the PASS account;~~

14           ~~(B) establishing a 529 plan for the youth and~~  
15 ~~conserving the youth's benefits in that account in a~~  
16 ~~manner that appropriately avoids any federal asset or~~  
17 ~~resource limits;~~

18           ~~(C) establishing an Individual Development Account~~  
19 ~~for the youth and conserving the youth's benefits in~~  
20 ~~that account in a manner that appropriately avoids any~~  
21 ~~federal asset or resource limits;~~

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

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

5           ~~(F) establishing a special needs trust for the~~  
6           ~~youth and conserving the youth's benefits in the trust~~  
7           ~~in a manner that is consistent with federal~~  
8           ~~requirements for special needs trusts and that~~  
9           ~~appropriately avoids any federal asset or resource~~  
10          ~~limits;~~

11          (B) ~~(G)~~ if the Department determines that using  
12          the benefits for services for current special needs  
13          not already provided by the Department is in the best  
14          interest of the youth, using the benefits for those  
15          services;

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

20          (D) ~~(I)~~ applying any other exclusions from federal  
21          asset or resource limits available under federal law  
22          and using or conserving the youth's benefits in a  
23          manner that appropriately avoids any federal asset or  
24          resource limits.

25          (e) By July 1, 2024, the Department shall provide a report  
26          to the General Assembly regarding youth in care who receive



1 benefits who are not subject to this Act. The report shall  
2 discuss a goal of expanding conservation of children's  
3 benefits to all benefits of all children of any age for whom  
4 the Department serves as representative payee. The report  
5 shall include a description of any identified obstacles, steps  
6 to be taken to address the obstacles, and a description of any  
7 need for statutory, rule, or procedural changes.

8 (f) (1) Accounting.

9 (A) Beginning on the effective date of this amendatory  
10 Act of the 103rd General Assembly through December 31,  
11 2024, upon request of the youth's attorney or guardian ad  
12 litem, the ~~The~~ Department shall provide an annual  
13 accounting to the youth's attorney and guardian ad litem  
14 of how the youth's benefits have been used and conserved.

15 (B) Beginning January 1, 2025 and every year  
16 thereafter, an annual accounting of how the youth's  
17 benefits have been used and conserved shall be provided  
18 automatically to the youth's attorney and guardian ad  
19 litem.

20 (C) In addition, within 10 business days of a request  
21 from a youth or the youth's attorney and guardian ad  
22 litem, the Department shall provide an accounting to the  
23 youth of how the youth's benefits have been used and  
24 conserved.

25 (2) The accounting shall include:

26 (A) ~~(1)~~ The amount of benefits received on the

1 youth's behalf since the most recent accounting and  
2 the date the benefits were received.

3 (B) ~~(2)~~ Information regarding the youth's benefits  
4 and resources, including the youth's benefits,  
5 insurance, cash assets, trust accounts, earnings, and  
6 other resources.

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

10 (D) ~~(4)~~ Information regarding each request by the  
11 youth, the youth's attorney and guardian ad litem, or  
12 the youth's caregiver for disbursement of funds and a  
13 statement regarding the reason for not granting the  
14 request if the request was denied.

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

1 ~~appropriate manner.~~

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

15 (h) Adoption of rules. The Department shall adopt rules to  
16 implement the provisions of this Section by January 1, 2024  
17 ~~2023~~.

18 (i) Reporting. No later than February 28, 2023, the  
19 Department shall file a report with the General Assembly  
20 providing the following information for State Fiscal Years  
21 2019, 2020, 2021, and 2022 and annually beginning February 28,  
22 2023, for the preceding fiscal year:

23 (1) The number of youth entering care.

24 (2) The number of youth entering care receiving each  
25 of the following types of benefits: Social Security  
26 benefits, Supplemental Security Income, Veterans benefits,

1 Railroad Retirement benefits.

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

7 (4) The number of youth entering care who were awarded  
8 each of the following types of benefits based on an  
9 application filed by the Department: Social Security  
10 benefits, Supplemental Security Income, Veterans benefits,  
11 Railroad Retirement benefits.

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

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

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

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

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

20 Section 15. The Illinois State Police Law of the Civil  
21 Administrative Code of Illinois is amended by changing Section  
22 2605-10 as follows:

23 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

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

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

2           (a) The Illinois State Police shall exercise the rights,  
3 powers, and duties that have been vested in the Illinois State  
4 Police by the following:

5                 The Illinois State Police Act.

6                 The Illinois State Police Radio Act.

7                 The Criminal Identification Act.

8                 The Illinois Vehicle Code.

9                 The Firearm Owners Identification Card Act.

10                The Firearm Concealed Carry Act.

11                The Gun Dealer Licensing Act.

12                The Intergovernmental Missing Child Recovery Act of  
13 1984.

14                The Intergovernmental Drug Laws Enforcement Act.

15                The Narcotic Control Division Abolition Act.

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

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

19           (Text of Section after 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.

25                 The Illinois State Police Radio Act.

- 1           The Criminal Identification Act.
- 2           The Illinois Vehicle Code.
- 3           The Firearm Owners Identification Card Act.
- 4           The Firearm Concealed Carry Act.
- 5           The Firearm Dealer License Certification Act.
- 6           The Intergovernmental Missing Child Recovery Act of
- 7           1984.
- 8           The Intergovernmental Drug Laws Enforcement Act.
- 9           The Narcotic Control Division Abolition Act.
- 10          The Illinois Uniform Conviction Information Act.
- 11          The Murderer and Violent Offender Against Youth
- 12          Registration Act.
- 13          (b) The Illinois State Police shall have the powers and
- 14          duties set forth in the following Sections.
- 15          (c) The Illinois State Police shall exercise the rights,
- 16          powers, and duties vested in the Illinois State Police to
- 17          implement the following protective service functions for State
- 18          facilities, State officials, and State employees serving in
- 19          their official capacity:
- 20                 (1) Utilize subject matter expertise and law
- 21                 enforcement authority to strengthen the protection of
- 22                 State government facilities, State employees, State
- 23                 officials, and State critical infrastructure.
- 24                 (2) Coordinate State, federal, and local law
- 25                 enforcement activities involving the protection of State
- 26                 facilities, officials, and employees.

1           (3) Conduct investigations of criminal threats to  
2 State facilities, State critical infrastructure, State  
3 officials, and State employees.

4           (4) Train State officials and employees in personal  
5 protection, crime prevention, facility occupant emergency  
6 planning, and incident management.

7           (5) Establish standard protocols for prevention and  
8 response to criminal threats to State facilities, State  
9 officials, State employees, and State critical  
10 infrastructure, and standard protocols for reporting of  
11 suspicious activities.

12           (6) Establish minimum operational standards,  
13 qualifications, training, and compliance requirements for  
14 State employees and contractors engaged in the protection  
15 of State facilities and employees.

16           (7) At the request of departments or agencies of State  
17 government, conduct security assessments, including, but  
18 not limited to, examination of alarm systems, cameras  
19 systems, access points, personnel readiness, and emergency  
20 protocols based on risk and need.

21           (8) Oversee the planning and implementation of  
22 security and law enforcement activities necessary for the  
23 protection of major, multi-jurisdictional events  
24 implicating potential criminal threats to State officials,  
25 State employees, or State-owned, State-leased, or  
26 State-operated critical infrastructure or facilities.

1           (9) Oversee and direct the planning and implementation  
2 of security and law enforcement activities by the  
3 departments and agencies of the State necessary for the  
4 protection of State employees, State officials, and  
5 State-owned, State-leased, or State-operated critical  
6 infrastructure or facilities from criminal activity.

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

11           (11) Utilize intergovernmental agreements and  
12 administrative rules as needed for the effective,  
13 efficient implementation of law enforcement and support  
14 activities necessary for the protection of State  
15 facilities, State infrastructure, State employees, and,  
16 upon the express written consent of State constitutional  
17 officials, State constitutional officials, ~~and State~~  
18 ~~employees.~~

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

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

23           (20 ILCS 4128/15)

24           Sec. 15. Membership; appointments; meeting.



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

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

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

8 (3) one member of the House of Representatives, who  
9 shall be appointed by the Speaker of the House of  
10 Representatives and shall serve as co-chair of the Task  
11 Force;

12 (4) one member of the House of Representatives, who  
13 shall be appointed by the Minority Leader of the House of  
14 Representatives;

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

17 (6) the Director of Agriculture or the Director's  
18 designee;

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

1 and

2 (8) 6 members who are appointed by the Governor. Of  
3 the members appointed by the Governor, 2 members shall be  
4 engaged in academic or scientific research on alternative  
5 protein development at a State college or university; one  
6 member shall be a representative of a nonprofit  
7 organization dedicated to the development and  
8 accessibility of alternative proteins; one member shall be  
9 a representative of the State's agricultural biotechnology  
10 industry; one member shall be the president of the  
11 Illinois Biotechnology Industry Organization or the  
12 organization's designee; and one member shall be a  
13 representative from a multinational food processing and  
14 manufacturing corporation headquartered in this State.

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

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

19 (d) The co-chairs of the Task Force shall schedule no  
20 fewer than 4 meetings of the Task Force, including not less  
21 than one public hearing. The co-chairs shall convene the first  
22 meeting of the Task Force within 60 days after the effective  
23 date of this Act.

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

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

1 (20 ILCS 4128/20)

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

3 (a)The Task Force shall submit a report of its findings  
4 and recommendations to the General Assembly no later than June  
5 30, 2024 ~~December 31, 2023~~.

6 (b) The Task Force shall be dissolved on December 31,  
7 2024.

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

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

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

12 (30 ILCS 500/20-10)

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

14 (Text of Section from P.A. 96-159, 96-588, 97-96, 97-895,  
15 98-1076, 99-906, 100-43, 101-31, 101-657, and 102-29)

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

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

20 (b) Invitation for bids. An invitation for bids shall be  
21 issued and shall include a purchase description and the  
22 material contractual terms and conditions applicable to the  
23 procurement.

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

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

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

26           (f) Correction or withdrawal of bids. Correction or

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

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

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

20 (2) a determination that the anticipated cost will be  
21 fair and reasonable;

22 (3) a listing of all responsible and responsive  
23 bidders; and

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

26 Each chief procurement officer may adopt guidelines to

1 implement the requirements of this subsection (g).

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

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

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

26 (j) Reverse auction. Notwithstanding any other provision

1 of this Section and in accordance with rules adopted by the  
2 chief procurement officer, that chief procurement officer may  
3 procure supplies or services through a competitive electronic  
4 auction bidding process after the chief procurement officer  
5 determines that the use of such a process will be in the best  
6 interest of the State. The chief procurement officer shall  
7 publish that determination in his or her next volume of the  
8 Illinois Procurement Bulletin.

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

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

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

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

25 The contract shall be awarded within 60 calendar days  
26 after the auction by written notice to the lowest responsible

1 bidder, or all bids shall be rejected except as otherwise  
2 provided in this Code. Extensions of the date for the award may  
3 be made by mutual written consent of the State purchasing  
4 officer and the lowest responsible bidder.

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

10 (Source: P.A. 101-31, eff. 6-28-19; 101-657, eff. 1-1-22;  
11 102-29, eff. 6-25-21.)

12 (Text of Section from P.A. 96-159, 96-795, 97-96, 97-895,  
13 98-1076, 99-906, 100-43, 101-31, 101-657, and 102-29)

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

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

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

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



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

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

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

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

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

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

16 (2) a determination that the anticipated cost will be  
17 fair and reasonable;

18 (3) a listing of all responsible and responsive  
19 bidders; and

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

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

24 The written explanation shall be filed with the  
25 Legislative Audit Commission, and the Commission on Equity and  
26 Inclusion, and the Procurement Policy Board, and be made

1 available for inspection by the public, within 14 days after  
2 the agency's decision to award the contract.

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

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

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

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

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

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

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

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

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

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

6           (Source: P.A. 101-31, eff. 6-28-19; 101-657, eff. 1-1-22;  
7 102-29, eff. 6-25-21.)

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

9           (Text of Section from P.A. 96-159, 96-588, 97-96, 97-895,  
10 98-1076, 99-906, 100-43, 101-31, 101-657, 102-29, and 103-558)

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

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

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

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

23           (d) Bid opening. Bids shall be opened publicly or through  
24 an electronic procurement system in the presence of one or  
25 more witnesses at the time and place designated in the

1 invitation for bids. The name of each bidder, including earned  
2 and applied bid credit from the Illinois Works Jobs Program  
3 Act, the amount of each bid, and other relevant information as  
4 may be specified by rule shall be recorded. After the award of  
5 the contract, the winning bid and the record of each  
6 unsuccessful bid shall be open to public inspection.

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

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

1 be supported by written determination made by a State  
2 purchasing officer.

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

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

13 (2) a determination that the anticipated cost will be  
14 fair and reasonable;

15 (3) a listing of all responsible and responsive  
16 bidders; and

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

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

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

26 (g-5) Failed bid notice. In addition to the requirements

1 of subsection (g), if a bidder has failed to be awarded a  
2 contract after 4 consecutive bids to provide the same services  
3 to the Department of Transportation, the Capital Development  
4 Board, or the Illinois State Toll Highway Authority, the  
5 applicable agency shall, in writing, detail why each of the 4  
6 bids was not awarded to the bidder. The applicable agency  
7 shall submit by certified copy to the bidder the reason or  
8 reasons why each of the 4 bids was not awarded to the bidder.  
9 The agency shall submit that certified copy to the bidder  
10 within the same calendar quarter in which the fourth bid was  
11 rejected. This subsection does not apply if information  
12 pertaining to a failed bid was previously disclosed to a  
13 bidder by electronic means. If any agency chooses to provide  
14 information by electronic means, the agency shall have a  
15 written policy outlining how the agency will reasonably ensure  
16 the bidder receives the information. For the purposes of this  
17 subsection, "electronic means" means an email communication  
18 from the applicable agency to the bidder or a public posting on  
19 the applicable agency's procurement bulletin.

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



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

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

22           An invitation for bids shall be issued and shall include  
23 (i) a procurement description, (ii) all contractual terms,  
24 whenever practical, and (iii) conditions applicable to the  
25 procurement, including a notice that bids will be received in  
26 an electronic auction manner.

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

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

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

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

18 This subsection does not apply to (i) procurements of  
19 professional and artistic services, (ii) telecommunications  
20 services, communication services, and information services,  
21 and (iii) contracts for construction projects, including  
22 design professional services.

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

24 (Text of Section from P.A. 96-159, 96-795, 97-96, 97-895,  
25 98-1076, 99-906, 100-43, 101-31, 101-657, 102-29, and 103-558)

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

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

5           (b) Invitation for bids. An invitation for bids shall be  
6 issued and shall include a purchase description and the  
7 material contractual terms and conditions applicable to the  
8 procurement.

9           (c) Public notice. Public notice of the invitation for  
10 bids shall be published in the Illinois Procurement Bulletin  
11 at least 14 calendar days before the date set in the invitation  
12 for the opening of bids.

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

22           (e) Bid acceptance and bid evaluation. Bids shall be  
23 unconditionally accepted without alteration or correction,  
24 except as authorized in this Code. Bids shall be evaluated  
25 based on the requirements set forth in the invitation for  
26 bids, which may include criteria to determine acceptability

1 such as inspection, testing, quality, workmanship, delivery,  
2 and suitability for a particular purpose. Those criteria that  
3 will affect the bid price and be considered in evaluation for  
4 award, such as discounts, transportation costs, and total or  
5 life cycle costs, shall be objectively measurable. The  
6 invitation for bids shall set forth the evaluation criteria to  
7 be used.

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

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

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

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

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

15 (g-5) Failed bid notice. In addition to the requirements  
16 of subsection (g), if a bidder has failed to be awarded a  
17 contract after 4 consecutive bids to provide the same services  
18 to the Department of Transportation, the Capital Development  
19 Board, or the Illinois State Toll Highway Authority, the  
20 applicable agency shall, in writing, detail why each of the 4  
21 bids was not awarded to the bidder. The applicable agency  
22 shall submit by certified copy to the bidder the reason or  
23 reasons why each of the 4 bids was not awarded to the bidder.  
24 The agency shall submit that certified copy to the bidder  
25 within the same calendar quarter in which the fourth bid was  
26 rejected. This subsection does not apply if information

1 pertaining to a failed bid was previously disclosed to a  
2 bidder by electronic means. If any agency chooses to provide  
3 information by electronic means, the agency shall have a  
4 written policy outlining how the agency will reasonably ensure  
5 the bidder receives the information. For the purposes of this  
6 subsection, "electronic means" means an email communication  
7 from the applicable agency to the bidder or a public posting on  
8 the applicable agency's procurement bulletin.

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

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

1 volume of the Illinois Procurement Bulletin.

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

11 An invitation for bids shall be issued and shall include  
12 (i) a procurement description, (ii) all contractual terms,  
13 whenever practical, and (iii) conditions applicable to the  
14 procurement, including a notice that bids will be received in  
15 an electronic auction manner.

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

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

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

1           The contract shall be awarded within 60 calendar days  
2 after the auction by written notice to the lowest responsible  
3 bidder, or all bids shall be rejected except as otherwise  
4 provided in this Code. Extensions of the date for the award may  
5 be made by mutual written consent of the State purchasing  
6 officer and the lowest responsible bidder.

7           This subsection does not apply to (i) procurements of  
8 professional and artistic services, (ii) telecommunications  
9 services, communication services, and information services,  
10 and (iii) contracts for construction projects, including  
11 design professional services.

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

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

15           (50 ILCS 750/19)

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

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

18           (a) Beginning July 1, 2015, there is created the Statewide  
19 9-1-1 Advisory Board within the Illinois State Police. The  
20 Board shall consist of the following voting members:

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

23           (2) The Executive Director of the Commission, or his  
24 or her designee.



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

2 (A) one member representing the Illinois chapter  
3 of the National Emergency Number Association, or his  
4 or her designee;

5 (B) one member representing the Illinois chapter  
6 of the Association of Public-Safety Communications  
7 Officials, or his or her designee;

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

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

13 (D) one member representing a county 9-1-1 system  
14 from a county with a population between 100,001 and  
15 250,000;

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

18 (F) one member representing a municipal or  
19 intergovernmental cooperative 9-1-1 system, excluding  
20 any single municipality with a population over  
21 500,000;

22 (G) one member representing the Illinois  
23 Association of Chiefs of Police;

24 (H) one member representing the Illinois Sheriffs'  
25 Association; and

26 (I) one member representing the Illinois Fire

1 Chiefs Association.

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

19 (b) The Governor shall make initial appointments to the  
20 Statewide 9-1-1 Advisory Board by August 31, 2015. Six of the  
21 voting members appointed by the Governor shall serve an  
22 initial term of 2 years, and the remaining voting members  
23 appointed by the Governor shall serve an initial term of 3  
24 years. Thereafter, each appointment by the Governor shall be  
25 for a term of 3 years and until their respective successors are  
26 appointed. Non-voting members shall serve for a term of 3

1 years. Vacancies shall be filled in the same manner as the  
2 original appointment. Persons appointed to fill a vacancy  
3 shall serve for the balance of the unexpired term.

4 Members of the Statewide 9-1-1 Advisory Board shall serve  
5 without compensation.

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

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

12 (1) advise the Illinois State Police and the Statewide  
13 9-1-1 Administrator on the oversight of 9-1-1 systems and  
14 the development and implementation of a uniform statewide  
15 9-1-1 system;

16 (2) make recommendations to the Governor and the  
17 General Assembly regarding improvements to 9-1-1 services  
18 throughout the State; and

19 (3) exercise all other powers and duties provided in  
20 this Act.

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

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

1 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;  
2 102-813, eff. 5-13-22.)

3 (50 ILCS 750/30)

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

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

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

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

12 (1) 9-1-1 wireless surcharges assessed under the  
13 Wireless Emergency Telephone Safety Act.

14 (2) 9-1-1 surcharges assessed under Section 20 of this  
15 Act.

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

18 (4) Any appropriations, grants, or gifts made to the  
19 Fund.

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

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

24 (b) Subject to appropriation and availability of funds,  
25 the Illinois State Police shall distribute the 9-1-1

1 surcharges monthly as follows:

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

4 (A) \$0.013 shall be distributed monthly in equal  
5 amounts to each County Emergency Telephone System  
6 Board in counties with a population under 100,000  
7 according to the most recent census data which is  
8 authorized to serve as a primary wireless 9-1-1 public  
9 safety answering point for the county and to provide  
10 wireless 9-1-1 service as prescribed by subsection (b)  
11 of Section 15.6a of this Act, and which does provide  
12 such service.

13 (B) \$0.033 shall be transferred by the Comptroller  
14 at the direction of the Illinois State Police to the  
15 Wireless Carrier Reimbursement Fund until June 30,  
16 2017; from July 1, 2017 through June 30, 2018, \$0.026  
17 shall be transferred; from July 1, 2018 through June  
18 30, 2019, \$0.020 shall be transferred; from July 1,  
19 2019, through June 30, 2020, \$0.013 shall be  
20 transferred; from July 1, 2020 through June 30, 2021,  
21 \$0.007 will be transferred; and after June 30, 2021,  
22 no transfer shall be made to the Wireless Carrier  
23 Reimbursement Fund.

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

1 (D) Beginning January 1, 2018, until June 30,  
2 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall  
3 be 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 wireless  
7 carriers.

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

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

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

20 (A) The Fund shall pay monthly to:

21 (i) the 9-1-1 Authorities that imposed  
22 surcharges under Section 15.3 of this Act and were  
23 required to report to the Illinois Commerce  
24 Commission under Section 27 of the Wireless  
25 Emergency Telephone Safety Act on October 1, 2014,  
26 except a 9-1-1 Authority in a municipality with a

1 population in excess of 500,000, an amount equal  
2 to the average monthly wireline and VoIP surcharge  
3 revenue attributable to the most recent 12-month  
4 period reported to the Illinois State Police under  
5 that Section for the October 1, 2014 filing,  
6 subject to the power of the Illinois State Police  
7 to investigate the amount reported and adjust the  
8 number by order under Article X of the Public  
9 Utilities Act, so that the monthly amount paid  
10 under this item accurately reflects one-twelfth of  
11 the aggregate wireline and VoIP surcharge revenue  
12 properly attributable to the most recent 12-month  
13 period reported to the Commission; or

14 (ii) county qualified governmental entities  
15 that did not impose a surcharge under Section 15.3  
16 as of December 31, 2015, and counties that did not  
17 impose a surcharge as of June 30, 2015, an amount  
18 equivalent to their population multiplied by .37  
19 multiplied by the rate of \$0.69; counties that are  
20 not county qualified governmental entities and  
21 that did not impose a surcharge as of December 31,  
22 2015, shall not begin to receive the payment  
23 provided for in this subsection until E9-1-1 and  
24 wireless E9-1-1 services are provided within their  
25 counties; or

26 (iii) counties without 9-1-1 service that had

1 a surcharge in place by December 31, 2015, an  
2 amount equivalent to their population multiplied  
3 by .37 multiplied by their surcharge rate as  
4 established by the referendum.

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

9 (C) All expenses incurred by the Administrator and  
10 the Statewide 9-1-1 Advisory Board and costs  
11 associated with procurement under Section 15.6b  
12 including requests for information and requests for  
13 proposals.

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



1 under this subparagraph (D) shall be prioritized as  
2 follows: (i) consolidation grants prioritized under  
3 subsection (a) of Section 15.4b of this Act; (ii)  
4 NG9-1-1 expenses; and (iii) consolidation grants under  
5 Section 15.4b of this Act for consolidation expenses  
6 incurred between January 1, 2010, and January 1, 2016.

7 (E) All remaining funds per remit month shall be  
8 used to make monthly proportional grants to the  
9 appropriate 9-1-1 Authority currently taking wireless  
10 9-1-1 based upon the United States Postal Zip Code of  
11 the billing addresses of subscribers of wireless  
12 carriers.

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

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

1 payments that would have otherwise been paid to the county if  
2 it had provided 9-1-1 service.

3 (Source: P.A. 101-639, eff. 6-12-20; 102-9, eff. 6-3-21;  
4 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

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

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

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

8 (a) A special fund in the State treasury known as the  
9 Wireless Service Emergency Fund shall be renamed the Statewide  
10 9-1-1 Fund. Any appropriations made from the Wireless Service  
11 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.  
12 The Fund shall consist of the following:

13 (1) (Blank).

14 (2) 9-1-1 surcharges assessed under Section 20 of this  
15 Act.

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

18 (4) Any appropriations, grants, or gifts made to the  
19 Fund.

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

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

24 (b) Subject to appropriation and availability of funds,  
25 the Illinois State Police shall distribute the 9-1-1

1 surcharges monthly as follows:

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

4 (A) \$0.013 shall be distributed monthly in equal  
5 amounts to each County Emergency Telephone System  
6 Board in counties with a population under 100,000  
7 according to the most recent census data which is  
8 authorized to serve as a primary wireless 9-1-1 public  
9 safety answering point for the county and to provide  
10 wireless 9-1-1 service as prescribed by subsection (b)  
11 of Section 15.6a of this Act, and which does provide  
12 such service.

13 (B) (Blank).

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

17 (D) Beginning January 1, 2018, until June 30,  
18 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall  
19 be used to make monthly disbursements to the  
20 appropriate 9-1-1 Authority currently taking wireless  
21 9-1-1 based upon the United States Postal Zip Code of  
22 the billing addresses of subscribers wireless  
23 carriers.

24 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used  
25 by the Illinois State Police for grants for NG9-1-1  
26 expenses, with priority given to 9-1-1 Authorities

1           that provide 9-1-1 service within the territory of a  
2           Large Electing Provider as defined in Section 13-406.1  
3           of the Public Utilities Act.

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

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

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

1           (B) Upon implementation of the Statewide NG9-1-1  
2           system, but no later than June 30, 2024, surplus  
3           moneys in excess of \$5,000,000 from subparagraph (F)  
4           of paragraph (1) not utilized by the Illinois State  
5           Police for the implementation of and continuing  
6           expenses for the Statewide NG9-1-1 system shall be  
7           distributed to the 9-1-1 Authorities in accordance  
8           with subparagraph (E) of subsection (2) on an annual  
9           basis at the end of the State fiscal year. Any  
10          remaining surplus money may also be distributed  
11          consistent with this paragraph (1.5) at the discretion  
12          of the Illinois State Police.

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

16                (A) The Fund shall pay monthly to:

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

1           that Section for the October 1, 2014 filing,  
2           subject to the power of the Illinois State Police  
3           to investigate the amount reported and adjust the  
4           number by order under Article X of the Public  
5           Utilities Act, so that the monthly amount paid  
6           under this item accurately reflects one-twelfth of  
7           the aggregate wireline and VoIP surcharge revenue  
8           properly attributable to the most recent 12-month  
9           period reported to the Commission; or

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

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

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

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

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

1 Section 15.4b of this Act for consolidation expenses  
2 incurred between January 1, 2010, and January 1, 2016.

3 (E) All remaining funds per remit month shall be  
4 used to make monthly disbursements to the appropriate  
5 9-1-1 Authority currently taking wireless 9-1-1 based  
6 upon the United States Postal Zip Code of the billing  
7 addresses of subscribers of wireless 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. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;  
25 102-813, eff. 5-13-22; 103-366, eff. 1-1-24.)



1 (50 ILCS 750/35)

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

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

4 Sec. 35. 9-1-1 surcharge; allowable expenditures. Except  
5 as otherwise provided in this Act, expenditures from surcharge  
6 revenues received under this Act may be made by  
7 municipalities, counties, and 9-1-1 Authorities only to pay  
8 for the costs associated with the following:

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

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

12 (3) The repayment of any moneys advanced for the  
13 implementation of the system.

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

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

24 (6) The initial acquisition and installation, or the  
25 reimbursement of costs therefor to other governmental  
26 bodies that have incurred those costs, of road or street

1 signs that are essential to the implementation of the  
2 Emergency Telephone System and that are not duplicative of  
3 signs that are the responsibility of the jurisdiction  
4 charged with maintaining road and street signs. Funds may  
5 not be used for ongoing expenses associated with road or  
6 street sign maintenance and replacement.

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

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

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

23 (10) The design, implementation, operation,  
24 maintenance, or upgrade of wireless 9-1-1, E9-1-1, or  
25 NG9-1-1 emergency services and public safety answering  
26 points.

1           In the case of a municipality with a population over  
2 500,000, moneys may also be used for any anti-terrorism or  
3 emergency preparedness measures, including, but not limited  
4 to, preparedness planning, providing local matching funds for  
5 federal or State grants, personnel training, and specialized  
6 equipment, including surveillance cameras, as needed to deal  
7 with natural and terrorist-inspired emergency situations or  
8 events.

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

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

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

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

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

16           (1) support and implementation of 9-1-1 services  
17 provided by or in the State or taxing jurisdiction  
18 imposing the fee or charge; and

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

22           (A) PSAP operating costs, including lease,  
23 purchase, maintenance, replacement, and upgrade of  
24 customer premises equipment (hardware and software),  
25 CAD equipment (hardware and software), and the PSAP

1 building and facility and including NG9-1-1,  
2 cybersecurity, pre-arrival instructions, and emergency  
3 notification systems. PSAP operating costs include  
4 technological innovation that supports 9-1-1;

5 (B) PSAP personnel costs, including  
6 telecommunicators' salaries and training;

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

10 (D) integrating public safety and first responder  
11 dispatch and 9-1-1 systems, including lease, purchase,  
12 maintenance, and upgrade of CAD equipment (hardware  
13 and software) to support integrated 9-1-1 and public  
14 safety dispatch operations; ~~and~~

15 (E) providing the interoperability of 9-1-1  
16 systems with one another and with public safety and  
17 first responder radio systems; and-

18 (F) costs for the initial acquisition and  
19 installation of road or street signs that are  
20 essential to the implementation of the Emergency  
21 Telephone System and that are not duplicative of signs  
22 that are the responsibility of the jurisdiction  
23 charged with maintaining road and street signs, as  
24 well as costs incurred to reimburse governmental  
25 bodies for the acquisition and installation of those  
26 signs, except that expenditures may not be used for

1           ongoing expenses associated with sign maintenance and  
2           replacement.

3           (3) (Blank).

4           (4) (Blank).

5           (5) (Blank).

6           (6) (Blank).

7           (7) (Blank).

8           (8) (Blank).

9           (9) (Blank).

10          (10) (Blank).

11           (b) The obligation or expenditure of surcharge revenues  
12 received under this Act for a purpose or function inconsistent  
13 with 47 CFR 9.23 and this Section shall constitute diversion,  
14 which undermines the purpose of this Act by depriving the  
15 9-1-1 system of the funds it needs to function effectively and  
16 to modernize 9-1-1 operations. Examples of diversion include,  
17 but are not limited to:

18           (1) transfer of 9-1-1 fees into a State or other  
19 jurisdiction's general fund or other fund for non-9-1-1  
20 purposes;

21           (2) use of surcharge revenues for equipment or  
22 infrastructure for constructing or expanding  
23 non-public-safety communications networks (e.g.,  
24 commercial cellular networks); and

25           (3) use of surcharge revenues for equipment or  
26 infrastructure for law enforcement, firefighters, and

1 other public safety or first responder entities that does  
2 not directly support providing 9-1-1 services.

3 (c) In the case of a municipality with a population over  
4 500,000, moneys may also be used for any anti-terrorism or  
5 emergency preparedness measures, including, but not limited  
6 to, preparedness planning, providing local matching funds for  
7 federal or State grants, personnel training, and specialized  
8 equipment, including surveillance cameras, as needed to deal  
9 with natural and terrorist-inspired emergency situations or  
10 events.

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

12 Section 35. The School Code is amended by changing  
13 Sections 21B-20, 27-20.3, and 27-21 and by renumbering and  
14 changing Section 22-95, as added by Public Act 103-46, as  
15 follows:

16 (105 ILCS 5/21B-20)

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

18 Sec. 21B-20. Types of licenses. The State Board of  
19 Education shall implement a system of educator licensure,  
20 whereby individuals employed in school districts who are  
21 required to be licensed must have one of the following  
22 licenses: (i) a professional educator license; (ii) an  
23 educator license with stipulations; (iii) a substitute  
24 teaching license; or (iv) until June 30, 2028, a short-term

1 substitute teaching license. References in law regarding  
2 individuals certified or certificated or required to be  
3 certified or certificated under Article 21 of this Code shall  
4 also include individuals licensed or required to be licensed  
5 under this Article. The first year of all licenses ends on June  
6 30 following one full year of the license being issued.

7 The State Board of Education, in consultation with the  
8 State Educator Preparation and Licensure Board, may adopt such  
9 rules as may be necessary to govern the requirements for  
10 licenses and endorsements under this Section.

11 (1) Professional Educator License. Persons who (i)  
12 have successfully completed an approved educator  
13 preparation program and are recommended for licensure by  
14 the Illinois institution offering the educator preparation  
15 program, (ii) have successfully completed the required  
16 testing under Section 21B-30 of this Code, (iii) have  
17 successfully completed coursework on the psychology of,  
18 the identification of, and the methods of instruction for  
19 the exceptional child, including, without limitation,  
20 children with learning disabilities, (iv) have  
21 successfully completed coursework in methods of reading  
22 and reading in the content area, and (v) have met all other  
23 criteria established by rule of the State Board of  
24 Education shall be issued a Professional Educator License.  
25 All Professional Educator Licenses are valid until June 30  
26 immediately following 5 years of the license being issued.

1 The Professional Educator License shall be endorsed with  
2 specific areas and grade levels in which the individual is  
3 eligible to practice. For an early childhood education  
4 endorsement, an individual may satisfy the student  
5 teaching requirement of his or her early childhood teacher  
6 preparation program through placement in a setting with  
7 children from birth through grade 2, and the individual  
8 may be paid and receive credit while student teaching. The  
9 student teaching experience must meet the requirements of  
10 and be approved by the individual's early childhood  
11 teacher preparation program.

12 Individuals can receive subsequent endorsements on the  
13 Professional Educator License. Subsequent endorsements  
14 shall require a minimum of 24 semester hours of coursework  
15 in the endorsement area and passage of the applicable  
16 content area test, unless otherwise specified by rule.

17 (2) Educator License with Stipulations. An Educator  
18 License with Stipulations shall be issued an endorsement  
19 that limits the license holder to one particular position  
20 or does not require completion of an approved educator  
21 program or both.

22 An individual with an Educator License with  
23 Stipulations must not be employed by a school district or  
24 any other entity to replace any presently employed teacher  
25 who otherwise would not be replaced for any reason.

26 An Educator License with Stipulations may be issued



1 with the following endorsements:

2 (A) (Blank).

3 (B) Alternative provisional educator. An  
4 alternative provisional educator endorsement on an  
5 Educator License with Stipulations may be issued to an  
6 applicant who, at the time of applying for the  
7 endorsement, has done all of the following:

8 (i) Graduated from a regionally accredited  
9 college or university with a minimum of a  
10 bachelor's degree.

11 (ii) Successfully completed the first phase of  
12 the Alternative Educator Licensure Program for  
13 Teachers, as described in Section 21B-50 of this  
14 Code.

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

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

21 (C) Alternative provisional superintendent. An  
22 alternative provisional superintendent endorsement on  
23 an Educator License with Stipulations entitles the  
24 holder to serve only as a superintendent or assistant  
25 superintendent in a school district's central office.  
26 This endorsement may only be issued to an applicant

1 who, at the time of applying for the endorsement, has  
2 done all of the following:

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

6 (ii) Been employed for a period of at least 5  
7 years in a management level position in a field  
8 other than education.

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

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

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

18 (D) (Blank).

19 (E) Career and technical educator. A career and  
20 technical educator endorsement on an Educator License  
21 with Stipulations may be issued to an applicant who  
22 has a minimum of 60 semester hours of coursework from a  
23 regionally accredited institution of higher education  
24 or an accredited trade and technical institution and  
25 has a minimum of 2,000 hours of experience outside of  
26 education in each area to be taught.

1           The career and technical educator endorsement on  
2           an Educator License with Stipulations is valid until  
3           June 30 immediately following 5 years of the  
4           endorsement being issued and may be renewed.

5           An individual who holds a valid career and  
6           technical educator endorsement on an Educator License  
7           with Stipulations but does not hold a bachelor's  
8           degree may substitute teach in career and technical  
9           education classrooms.

10           (F) (Blank).

11           (G) Transitional bilingual educator. A  
12           transitional bilingual educator endorsement on an  
13           Educator License with Stipulations may be issued for  
14           the purpose of providing instruction in accordance  
15           with Article 14C of this Code to an applicant who  
16           provides satisfactory evidence that he or she meets  
17           all of the following requirements:

18           (i) Possesses adequate speaking, reading, and  
19           writing ability in the language other than English  
20           in which transitional bilingual education is  
21           offered.

22           (ii) Has the ability to successfully  
23           communicate in English.

24           (iii) Either possessed, within 5 years  
25           previous to his or her applying for a transitional  
26           bilingual educator endorsement, a valid and

1           comparable teaching certificate or comparable  
2           authorization issued by a foreign country or holds  
3           a degree from an institution of higher learning in  
4           a foreign country that the State Educator  
5           Preparation and Licensure Board determines to be  
6           the equivalent of a bachelor's degree from a  
7           regionally accredited institution of higher  
8           learning in the United States.

9           A transitional bilingual educator endorsement  
10          shall be valid for prekindergarten through grade 12,  
11          is valid until June 30 immediately following 5 years  
12          of the endorsement being issued, and shall not be  
13          renewed.

14          Persons holding a transitional bilingual educator  
15          endorsement shall not be employed to replace any  
16          presently employed teacher who otherwise would not be  
17          replaced for any reason.

18          (H) Language endorsement. In an effort to  
19          alleviate the shortage of teachers speaking a language  
20          other than English in the public schools, an  
21          individual who holds an Educator License with  
22          Stipulations may also apply for a language  
23          endorsement, provided that the applicant provides  
24          satisfactory evidence that he or she meets all of the  
25          following requirements:

26                 (i) Holds a transitional bilingual

1 endorsement.

2 (ii) Has demonstrated proficiency in the  
3 language for which the endorsement is to be issued  
4 by passing the applicable language content test  
5 required by the State Board of Education.

6 (iii) Holds a bachelor's degree or higher from  
7 a regionally accredited institution of higher  
8 education or, for individuals educated in a  
9 country other than the United States, holds a  
10 degree from an institution of higher learning in a  
11 foreign country that the State Educator  
12 Preparation and Licensure Board determines to be  
13 the equivalent of a bachelor's degree from a  
14 regionally accredited institution of higher  
15 learning in the United States.

16 (iv) (Blank).

17 A language endorsement on an Educator License with  
18 Stipulations is valid for prekindergarten through  
19 grade 12 for the same validity period as the  
20 individual's transitional bilingual educator  
21 endorsement on the Educator License with Stipulations  
22 and shall not be renewed.

23 (I) Visiting international educator. A visiting  
24 international educator endorsement on an Educator  
25 License with Stipulations may be issued to an  
26 individual who is being recruited by a particular

1 school district that conducts formal recruitment  
2 programs outside of the United States to secure the  
3 services of qualified teachers and who meets all of  
4 the following requirements:

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

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

9 (iii) Has adequate content knowledge in the  
10 subject to be taught.

11 (iv) Has an adequate command of the English  
12 language.

13 A holder of a visiting international educator  
14 endorsement on an Educator License with Stipulations  
15 shall be permitted to teach in bilingual education  
16 programs in the language that was the medium of  
17 instruction in his or her teacher preparation program,  
18 provided that he or she passes the English Language  
19 Proficiency Examination or another test of writing  
20 skills in English identified by the State Board of  
21 Education, in consultation with the State Educator  
22 Preparation and Licensure Board.

23 A visiting international educator endorsement on  
24 an Educator License with Stipulations is valid for 5  
25 years and shall not be renewed.

26 (J) Paraprofessional educator. A paraprofessional

1 educator endorsement on an Educator License with  
2 Stipulations may be issued to an applicant who holds a  
3 high school diploma or its recognized equivalent and  
4 (i) holds an associate's degree or a minimum of 60  
5 semester hours of credit from a regionally accredited  
6 institution of higher education; (ii) has passed a  
7 paraprofessional competency test under subsection  
8 (c-5) of Section 21B-30; or (iii) is at least 18 years  
9 of age and will be using the Educator License with  
10 Stipulations exclusively for grades prekindergarten  
11 through grade 8, until the individual reaches the age  
12 of 19 years and otherwise meets the criteria for a  
13 paraprofessional educator endorsement pursuant to this  
14 subparagraph (J). The paraprofessional educator  
15 endorsement is valid until June 30 immediately  
16 following 5 years of the endorsement being issued and  
17 may be renewed through application and payment of the  
18 appropriate fee, as required under Section 21B-40 of  
19 this Code. An individual who holds only a  
20 paraprofessional educator endorsement is not subject  
21 to additional requirements in order to renew the  
22 endorsement.

23 (K) Chief school business official. A chief school  
24 business official endorsement on an Educator License  
25 with Stipulations may be issued to an applicant who  
26 qualifies by having a master's degree or higher, 2

1 years of full-time administrative experience in school  
2 business management or 2 years of university-approved  
3 practical experience, and a minimum of 24 semester  
4 hours of graduate credit in a program approved by the  
5 State Board of Education for the preparation of school  
6 business administrators and by passage of the  
7 applicable State tests, including an applicable  
8 content area test.

9 The chief school business official endorsement may  
10 also be affixed to the Educator License with  
11 Stipulations of any holder who qualifies by having a  
12 master's degree in business administration, finance,  
13 accounting, or public administration and who completes  
14 an additional 6 semester hours of internship in school  
15 business management from a regionally accredited  
16 institution of higher education and passes the  
17 applicable State tests, including an applicable  
18 content area test. This endorsement shall be required  
19 for any individual employed as a chief school business  
20 official.

21 The chief school business official endorsement on  
22 an Educator License with Stipulations is valid until  
23 June 30 immediately following 5 years of the  
24 endorsement being issued and may be renewed if the  
25 license holder completes renewal requirements as  
26 required for individuals who hold a Professional



1 Educator License endorsed for chief school business  
2 official under Section 21B-45 of this Code and such  
3 rules as may be adopted by the State Board of  
4 Education.

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

7 (L) Provisional in-state educator. A provisional  
8 in-state educator endorsement on an Educator License  
9 with Stipulations may be issued to a candidate who has  
10 completed an Illinois-approved educator preparation  
11 program at an Illinois institution of higher education  
12 and who has not successfully completed an  
13 evidence-based assessment of teacher effectiveness but  
14 who meets all of the following requirements:

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

16 (ii) Has completed an approved educator  
17 preparation program at an Illinois institution.

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

20 (iv) Has attempted an evidence-based  
21 assessment of teacher effectiveness and received a  
22 minimum score on that assessment, as established  
23 by the State Board of Education in consultation  
24 with the State Educator Preparation and Licensure  
25 Board.

26 A provisional in-state educator endorsement on an

1 Educator License with Stipulations is valid for one  
2 full fiscal year after the date of issuance and may not  
3 be renewed.

4 (M) (Blank).

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

8 (O) Provisional career and technical educator. A  
9 provisional career and technical educator endorsement  
10 on an Educator License with Stipulations may be issued  
11 to an applicant who has a minimum of 8,000 hours of  
12 work experience in the skill for which the applicant  
13 is seeking the endorsement. Each employing school  
14 board and regional office of education shall provide  
15 verification, in writing, to the State Superintendent  
16 of Education at the time the application is submitted  
17 that no qualified teacher holding a Professional  
18 Educator License or an Educator License with  
19 Stipulations with a career and technical educator  
20 endorsement is available to teach and that actual  
21 circumstances require such issuance.

22 A provisional career and technical educator  
23 endorsement on an Educator License with Stipulations  
24 is valid until June 30 immediately following 5 years  
25 of the endorsement being issued and may be renewed.

26 An individual who holds a provisional career and

1           technical educator endorsement on an Educator License  
2           with Stipulations may teach as a substitute teacher in  
3           career and technical education classrooms.

4           (3) Substitute Teaching License. A Substitute Teaching  
5 License may be issued to qualified applicants for  
6 substitute teaching in all grades of the public schools,  
7 prekindergarten through grade 12. Substitute Teaching  
8 Licenses are not eligible for endorsements. Applicants for  
9 a Substitute Teaching License must hold a bachelor's  
10 degree or higher from a regionally accredited institution  
11 of higher education or must be enrolled in an approved  
12 educator preparation program in this State and have earned  
13 at least 90 credit hours.

14           Substitute Teaching Licenses are valid for 5 years.

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

21           A substitute teacher may only teach in the place of a  
22 licensed teacher who is under contract with the employing  
23 board. If, however, there is no licensed teacher under  
24 contract because of an emergency situation, then a  
25 district may employ a substitute teacher for no longer  
26 than 30 calendar days per each vacant position in the

1 district if the district notifies the appropriate regional  
2 office of education within 5 business days after the  
3 employment of the substitute teacher in the emergency  
4 situation. An emergency situation is one in which an  
5 unforeseen vacancy has occurred and (i) a teacher is  
6 unable to fulfill his or her contractual duties or (ii)  
7 teacher capacity needs of the district exceed previous  
8 indications, 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; revised  
15 9-7-23.)

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

17 Sec. 21B-20. Types of licenses. The State Board of  
18 Education shall implement a system of educator licensure,  
19 whereby individuals employed in school districts who are  
20 required to be licensed must have one of the following  
21 licenses: (i) a professional educator license; (ii) an  
22 educator license with stipulations; (iii) a substitute  
23 teaching license; or (iv) until June 30, 2028, a short-term  
24 substitute teaching license. References in law regarding  
25 individuals certified or certificated or required to be

1 certified or certificated under Article 21 of this Code shall  
2 also include individuals licensed or required to be licensed  
3 under this Article. The first year of all licenses ends on June  
4 30 following one full year of the license being issued.

5 The State Board of Education, in consultation with the  
6 State Educator Preparation and Licensure Board, may adopt such  
7 rules as may be necessary to govern the requirements for  
8 licenses and endorsements under this Section.

9 (1) Professional Educator License. Persons who (i)  
10 have successfully completed an approved educator  
11 preparation program and are recommended for licensure by  
12 the Illinois institution offering the educator preparation  
13 program, (ii) have successfully completed the required  
14 testing under Section 21B-30 of this Code, (iii) have  
15 successfully completed coursework on the psychology of,  
16 the identification of, and the methods of instruction for  
17 the exceptional child, including, without limitation,  
18 children with learning disabilities, (iv) have  
19 successfully completed coursework in methods of reading  
20 and reading in the content area, and (v) have met all other  
21 criteria established by rule of the State Board of  
22 Education shall be issued a Professional Educator License.  
23 All Professional Educator Licenses are valid until June 30  
24 immediately following 5 years of the license being issued.  
25 The Professional Educator License shall be endorsed with  
26 specific areas and grade levels in which the individual is

1 eligible to practice. For an early childhood education  
2 endorsement, an individual may satisfy the student  
3 teaching requirement of his or her early childhood teacher  
4 preparation program through placement in a setting with  
5 children from birth through grade 2, and the individual  
6 may be paid and receive credit while student teaching. The  
7 student teaching experience must meet the requirements of  
8 and be approved by the individual's early childhood  
9 teacher preparation program.

10 Individuals can receive subsequent endorsements on the  
11 Professional Educator License. Subsequent endorsements  
12 shall require a minimum of 24 semester hours of coursework  
13 in the endorsement area and passage of the applicable  
14 content area test, unless otherwise specified by rule.

15 (2) Educator License with Stipulations. An Educator  
16 License with Stipulations shall be issued an endorsement  
17 that limits the license holder to one particular position  
18 or does not require completion of an approved educator  
19 program or both.

20 An individual with an Educator License with  
21 Stipulations must not be employed by a school district or  
22 any other entity to replace any presently employed teacher  
23 who otherwise would not be replaced for any reason.

24 An Educator License with Stipulations may be issued  
25 with the following endorsements:

26 (A) (Blank).



1           (B) Alternative provisional educator. An  
2 alternative provisional educator endorsement on an  
3 Educator License with Stipulations may be issued to an  
4 applicant who, at the time of applying for the  
5 endorsement, has done all of the following:

6           (i) Graduated from a regionally accredited  
7 college or university with a minimum of a  
8 bachelor's degree.

9           (ii) Successfully completed the first phase of  
10 the Alternative Educator Licensure Program for  
11 Teachers, as described in Section 21B-50 of this  
12 Code.

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

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

19           (C) Alternative provisional superintendent. An  
20 alternative provisional superintendent endorsement on  
21 an Educator License with Stipulations entitles the  
22 holder to serve only as a superintendent or assistant  
23 superintendent in a school district's central office.  
24 This endorsement may only be issued to an applicant  
25 who, at the time of applying for the endorsement, has  
26 done all of the following:

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

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

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

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

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

16 (D) (Blank).

17 (E) Career and technical educator. A career and  
18 technical educator endorsement on an Educator License  
19 with Stipulations may be issued to an applicant who  
20 has a minimum of 60 semester hours of coursework from a  
21 regionally accredited institution of higher education  
22 or an accredited trade and technical institution and  
23 has a minimum of 2,000 hours of experience outside of  
24 education in each area to be taught.

25 The career and technical educator endorsement on  
26 an Educator License with Stipulations is valid until

1 June 30 immediately following 5 years of the  
2 endorsement being issued and may be renewed.

3 An individual who holds a valid career and  
4 technical educator endorsement on an Educator License  
5 with Stipulations but does not hold a bachelor's  
6 degree may substitute teach in career and technical  
7 education classrooms.

8 (F) (Blank).

9 (G) Transitional bilingual educator. A  
10 transitional bilingual educator endorsement on an  
11 Educator License with Stipulations may be issued for  
12 the purpose of providing instruction in accordance  
13 with Article 14C of this Code to an applicant who  
14 provides satisfactory evidence that he or she meets  
15 all of the following requirements:

16 (i) Possesses adequate speaking, reading, and  
17 writing ability in the language other than English  
18 in which transitional bilingual education is  
19 offered.

20 (ii) Has the ability to successfully  
21 communicate in English.

22 (iii) Either possessed, within 5 years  
23 previous to his or her applying for a transitional  
24 bilingual educator endorsement, a valid and  
25 comparable teaching certificate or comparable  
26 authorization issued by a foreign country or holds

1 a degree from an institution of higher learning in  
2 a foreign country that the State Educator  
3 Preparation and Licensure Board determines to be  
4 the equivalent of a bachelor's degree from a  
5 regionally accredited institution of higher  
6 learning in the United States.

7 A transitional bilingual educator endorsement  
8 shall be valid for prekindergarten through grade 12,  
9 is valid until June 30 immediately following 5 years  
10 of the endorsement being issued, and shall not be  
11 renewed.

12 Persons holding a transitional bilingual educator  
13 endorsement shall not be employed to replace any  
14 presently employed teacher who otherwise would not be  
15 replaced for any reason.

16 (H) Language endorsement. In an effort to  
17 alleviate the shortage of teachers speaking a language  
18 other than English in the public schools, an  
19 individual who holds an Educator License with  
20 Stipulations may also apply for a language  
21 endorsement, provided that the applicant provides  
22 satisfactory evidence that he or she meets all of the  
23 following requirements:

24 (i) Holds a transitional bilingual  
25 endorsement.

26 (ii) Has demonstrated proficiency in the

1 language for which the endorsement is to be issued  
2 by passing the applicable language content test  
3 required by the State Board of Education.

4 (iii) Holds a bachelor's degree or higher from  
5 a regionally accredited institution of higher  
6 education or, for individuals educated in a  
7 country other than the United States, holds a  
8 degree from an institution of higher learning in a  
9 foreign country that the State Educator  
10 Preparation and Licensure Board determines to be  
11 the equivalent of a bachelor's degree from a  
12 regionally accredited institution of higher  
13 learning in the United States.

14 (iv) (Blank).

15 A language endorsement on an Educator License with  
16 Stipulations is valid for prekindergarten through  
17 grade 12 for the same validity period as the  
18 individual's transitional bilingual educator  
19 endorsement on the Educator License with Stipulations  
20 and shall not be renewed.

21 (I) Visiting international educator. A visiting  
22 international educator endorsement on an Educator  
23 License with Stipulations may be issued to an  
24 individual who is being recruited by a particular  
25 school district that conducts formal recruitment  
26 programs outside of the United States to secure the

1 services of qualified teachers and who meets all of  
2 the following requirements:

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

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

7 (iii) Has adequate content knowledge in the  
8 subject to be taught.

9 (iv) Has an adequate command of the English  
10 language.

11 A holder of a visiting international educator  
12 endorsement on an Educator License with Stipulations  
13 shall be permitted to teach in bilingual education  
14 programs in the language that was the medium of  
15 instruction in his or her teacher preparation program,  
16 provided that he or she passes the English Language  
17 Proficiency Examination or another test of writing  
18 skills in English identified by the State Board of  
19 Education, in consultation with the State Educator  
20 Preparation and Licensure Board.

21 A visiting international educator endorsement on  
22 an Educator License with Stipulations is valid for 5  
23 years and shall not be renewed.

24 (J) Paraprofessional educator. A paraprofessional  
25 educator endorsement on an Educator License with  
26 Stipulations may be issued to an applicant who holds a

1 high school diploma or its recognized equivalent and  
2 (i) holds an associate's degree or a minimum of 60  
3 semester hours of credit from a regionally accredited  
4 institution of higher education; (ii) has passed a  
5 paraprofessional competency test under subsection  
6 (c-5) of Section 21B-30; or (iii) is at least 18 years  
7 of age and will be using the Educator License with  
8 Stipulations exclusively for grades prekindergarten  
9 through grade 8, until the individual reaches the age  
10 of 19 years and otherwise meets the criteria for a  
11 paraprofessional educator endorsement pursuant to this  
12 subparagraph (J). The paraprofessional educator  
13 endorsement is valid until June 30 immediately  
14 following 5 years of the endorsement being issued and  
15 may be renewed through application and payment of the  
16 appropriate fee, as required under Section 21B-40 of  
17 this Code. An individual who holds only a  
18 paraprofessional educator endorsement is not subject  
19 to additional requirements in order to renew the  
20 endorsement.

21 (K) Chief school business official. A chief school  
22 business official endorsement on an Educator License  
23 with Stipulations may be issued to an applicant who  
24 qualifies by having a master's degree or higher, 2  
25 years of full-time administrative experience in school  
26 business management or 2 years of university-approved

1 practical experience, and a minimum of 24 semester  
2 hours of graduate credit in a program approved by the  
3 State Board of Education for the preparation of school  
4 business administrators and by passage of the  
5 applicable State tests, including an applicable  
6 content area test.

7 The chief school business official endorsement may  
8 also be affixed to the Educator License with  
9 Stipulations of any holder who qualifies by having a  
10 master's degree in business administration, finance,  
11 accounting, or public administration and who completes  
12 an additional 6 semester hours of internship in school  
13 business management from a regionally accredited  
14 institution of higher education and passes the  
15 applicable State tests, including an applicable  
16 content area test. This endorsement shall be required  
17 for any individual employed as a chief school business  
18 official.

19 The chief school business official endorsement on  
20 an Educator License with Stipulations is valid until  
21 June 30 immediately following 5 years of the  
22 endorsement being issued and may be renewed if the  
23 license holder completes renewal requirements as  
24 required for individuals who hold a Professional  
25 Educator License endorsed for chief school business  
26 official under Section 21B-45 of this Code and such



1 rules as may be adopted by the State Board of  
2 Education.

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

5 (L) Provisional in-state educator. A provisional  
6 in-state educator endorsement on an Educator License  
7 with Stipulations may be issued to a candidate who has  
8 completed an Illinois-approved educator preparation  
9 program at an Illinois institution of higher education  
10 and who has not successfully completed an  
11 evidence-based assessment of teacher effectiveness but  
12 who meets all of the following requirements:

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

14 (ii) Has completed an approved educator  
15 preparation program at an Illinois institution.

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

18 (iv) Has attempted an evidence-based  
19 assessment of teacher effectiveness and received a  
20 minimum score on that assessment, as established  
21 by the State Board of Education in consultation  
22 with the State Educator Preparation and Licensure  
23 Board.

24 A provisional in-state educator endorsement on an  
25 Educator License with Stipulations is valid for one  
26 full fiscal year after the date of issuance and may not

1 be renewed.

2 (M) (Blank).

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

6 (O) Provisional career and technical educator. A  
7 provisional career and technical educator endorsement  
8 on an Educator License with Stipulations may be issued  
9 to an applicant who has a minimum of 8,000 hours of  
10 work experience in the skill for which the applicant  
11 is seeking the endorsement. Each employing school  
12 board and regional office of education shall provide  
13 verification, in writing, to the State Superintendent  
14 of Education at the time the application is submitted  
15 that no qualified teacher holding a Professional  
16 Educator License or an Educator License with  
17 Stipulations with a career and technical educator  
18 endorsement is available to teach and that actual  
19 circumstances require such issuance.

20 A provisional career and technical educator  
21 endorsement on an Educator License with Stipulations  
22 is valid until June 30 immediately following 5 years  
23 of the endorsement being issued and may be renewed.

24 An individual who holds a provisional career and  
25 technical educator endorsement on an Educator License  
26 with Stipulations may teach as a substitute teacher in

1           career and technical education classrooms.

2           (3) Substitute Teaching License. A Substitute Teaching  
3 License may be issued to qualified applicants for  
4 substitute teaching in all grades of the public schools,  
5 prekindergarten through grade 12. Substitute Teaching  
6 Licenses are not eligible for endorsements. Applicants for  
7 a Substitute Teaching License must hold a bachelor's  
8 degree or higher from a regionally accredited institution  
9 of higher education or must be enrolled in an approved  
10 educator preparation program in this State and have earned  
11 at least 90 credit hours.

12           Substitute Teaching Licenses are valid for 5 years.

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

19           A substitute teacher may only teach in the place of a  
20 licensed teacher who is under contract with the employing  
21 board. If, however, there is no licensed teacher under  
22 contract because of an emergency situation, then a  
23 district may employ a substitute teacher for no longer  
24 than 30 calendar days per each vacant position in the  
25 district if the district notifies the appropriate regional  
26 office of education within 5 business days after the

1 employment of the substitute teacher in that vacant  
2 position. A district may continue to employ that same  
3 substitute teacher in that same vacant position for 90  
4 calendar days or until the end of the semester, whichever  
5 is greater, if, prior to the expiration of the  
6 30-calendar-day period then current, the district files a  
7 written request with the appropriate regional office of  
8 education for a 30-calendar-day extension on the basis  
9 that the position remains vacant and the district  
10 continues to actively seek qualified candidates and  
11 provides documentation that it has provided training  
12 specific to the position, including training on meeting  
13 the needs of students with disabilities and English  
14 learners if applicable. Each extension request shall be  
15 granted in writing by the regional office of education. An  
16 emergency situation is one in which an unforeseen vacancy  
17 has occurred and (i) a teacher is unexpectedly unable to  
18 fulfill his or her contractual duties or (ii) teacher  
19 capacity needs of the district exceed previous indications  
20 or vacancies are unfilled due to a lack of qualified  
21 candidates, 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;  
2 103-193, eff. 1-1-24; revised 9-7-23.)

3 (105 ILCS 5/22-96)

4 (This Section may contain text from a Public Act with a  
5 delayed effective date)

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

7 (a) When hiring or assigning physical education, music,  
8 and visual arts educators, a school district must prioritize  
9 the hiring or assigning of educators who hold an educator  
10 license and endorsement in the these content area to be taught  
11 areas.

12 (b) A licensed professional educator assigned to physical  
13 education, music, or visual arts who does not hold an  
14 endorsement in the content area to be taught licensure  
15 applicant must acquire short-term approval under Part 25 of  
16 Title 23 of the Illinois Administrative Code by the State  
17 Board of Education ~~pass the licensure content area test for~~  
18 ~~the content area he or she is assigned to teach or complete at~~  
19 ~~least 9 semester hours of coursework~~ in the content area to be  
20 taught prior to his or her assignment or employment start  
21 date. If no short-term approval is available in the content  
22 area to be taught, the licensed educator shall meet equivalent  
23 criteria specified by the State Board of Education. In order  
24 to retain his or her employment for subsequent school years,  
25 the educator employee must acquire the full endorsement in the

1 content area to be taught prior to the end of the validity  
2 period of the short-term approval ~~complete the remaining hours~~  
3 ~~of coursework in the content area in which he or she is~~  
4 ~~teaching and apply for a license endorsement within 3 calendar~~  
5 ~~years after his or her employment start date.~~

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

9 (d) Instead of holding the credentials specified in  
10 subsection (a) or (b) of this Section, an educator assigned to  
11 a position under this Section may meet any requirements set  
12 forth under Title 23 of the Illinois Administrative Code as  
13 applicable to the content area to be taught, except that  
14 subsection (b) of Section 1.710 of Title 23 of the Illinois  
15 Administrative Code does not apply to an educator assigned to  
16 a position under this subsection (d).

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

18 (105 ILCS 5/27-20.3) (from Ch. 122, par. 27-20.3)

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

20 (a) Every public elementary school and high school shall  
21 include in its curriculum a unit of instruction studying the  
22 events of the Nazi atrocities of 1933 to 1945. This period in  
23 world history is known as the Holocaust, during which  
24 6,000,000 Jews and millions of non-Jews were exterminated. One  
25 of the universal lessons of the Holocaust is that national,



1 ethnic, racial, or religious hatred can overtake any nation or  
2 society, leading to calamitous consequences. To reinforce that  
3 lesson, such curriculum shall include an additional unit of  
4 instruction studying other acts of genocide across the globe.  
5 This unit shall include, but not be limited to, the Native  
6 American genocide in North America, the Armenian Genocide, the  
7 Famine-Genocide in Ukraine, and more recent atrocities in  
8 Cambodia, Bosnia, Rwanda, and Sudan. The studying of this  
9 material is a reaffirmation of the commitment of free peoples  
10 from all nations to never again permit the occurrence of  
11 another Holocaust and a recognition that crimes of genocide  
12 continue to be perpetrated across the globe as they have been  
13 in the past and to deter indifference to crimes against  
14 humanity and human suffering wherever they may occur.

15 (b) The State Superintendent of Education may prepare and  
16 make available to all school boards instructional materials  
17 which may be used as guidelines for development of a unit of  
18 instruction under this Section; provided, however, that each  
19 school board shall itself determine the minimum amount of  
20 instruction time which shall qualify as a unit of instruction  
21 satisfying the requirements of this Section.

22 Instructional materials that include the addition of  
23 content related to the Native American genocide in North  
24 America shall be prepared and made available to all school  
25 boards on the State Board of Education's Internet website no  
26 later than July 1, 2024 ~~January 1, 2025~~. Notwithstanding

1 subsection (a) of this Section, a school is not required to  
2 teach the additional content related to the Native American  
3 genocide in North America until instructional materials are  
4 made available on the State Board's Internet website.

5 Instructional materials related to the Native American  
6 genocide in North America shall be developed in consultation  
7 with members of the Chicago American Indian Community  
8 Collaborative who are members of a federally recognized tribe,  
9 are documented descendants of Indigenous communities, or are  
10 other persons recognized as contributing community members by  
11 the Chicago American Indian Community Collaborative and who  
12 currently reside in this State or their designees.

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

14 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

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

16 (a) History of the United States shall be taught in all  
17 public schools and in all other educational institutions in  
18 this State supported or maintained, in whole or in part, by  
19 public funds.

20 The teaching of history shall have as one of its  
21 objectives the imparting to pupils of a comprehensive idea of  
22 our democratic form of government and the principles for which  
23 our government stands as regards other nations, including the  
24 studying of the place of our government in world-wide  
25 movements and the leaders thereof, with particular stress upon

1 the basic principles and ideals of our representative form of  
2 government.

3 The teaching of history shall include a study of the role  
4 and contributions of African Americans and other ethnic  
5 groups, including, but not restricted to, Native Americans,  
6 Polish, Lithuanian, German, Hungarian, Irish, Bohemian,  
7 Russian, Albanian, Italian, Czech, Slovak, French, Scots,  
8 Hispanics, Asian Americans, etc., in the history of this  
9 country and this State. To reinforce the study of the role and  
10 contributions of Hispanics, such curriculum shall include the  
11 study of the events related to the forceful removal and  
12 illegal deportation of Mexican-American U.S. citizens during  
13 the Great Depression.

14 The teaching of history shall also include teaching about  
15 Native American nations' sovereignty and self-determination,  
16 both historically and in the present day, with a focus on urban  
17 Native Americans.

18 In public schools only, the teaching of history shall  
19 include a study of the roles and contributions of lesbian,  
20 gay, bisexual, and transgender people in the history of this  
21 country and this State.

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

25 Beginning with the 2020-2021 school year, the teaching of  
26 history must also include instruction on the history of

1 Illinois.

2 The teaching of history shall include the contributions  
3 made to society by Americans of different faith practices,  
4 including, but not limited to, Native Americans, Muslim  
5 Americans, Jewish Americans, Christian Americans, Hindu  
6 Americans, Sikh Americans, Buddhist Americans, and any other  
7 collective community of faith that has shaped America.

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

13 ~~(c) The State Superintendent of Education may prepare and~~  
14 ~~make available to all school boards instructional materials~~  
15 ~~that may be used as guidelines for the development of~~  
16 ~~instruction under this Section; however, each school board~~  
17 ~~shall itself determine the minimum amount of instructional~~  
18 ~~time required for satisfying the requirements of this Section.~~

19 Instructional materials that include the addition of content  
20 related to Native Americans shall be prepared by the State  
21 Superintendent of Education and made available to all school  
22 boards on the State Board of Education's Internet website no  
23 later than July 1, 2024 ~~January 1, 2025~~. These instructional  
24 materials may be used by school boards as guidelines for the  
25 development of instruction under this Section; however, each  
26 school board shall itself determine the minimum amount of

1 instructional time for satisfying the requirements of this  
2 Section. Notwithstanding subsections (a) and (b) of this  
3 Section, a school or other educational institution is not  
4 required to teach and a pupil is not required to learn the  
5 additional content related to Native Americans until  
6 instructional materials are made available on the State  
7 Board's Internet website.

8 Instructional materials related to Native Americans shall  
9 be developed in consultation with members of the Chicago  
10 American Indian Community Collaborative who are members of a  
11 federally recognized tribe, are documented descendants of  
12 Indigenous communities, or are other persons recognized as  
13 contributing community members by the Chicago American Indian  
14 Community Collaborative and who currently reside in this  
15 State.

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

17 Section 40. The Child Care Act of 1969 is amended by  
18 changing Sections 2.06 and 2.17 and by adding Section 2.35 as  
19 follows:

20 (225 ILCS 10/2.06) (from Ch. 23, par. 2212.06)

21 Sec. 2.06. "Child care institution" means a child care  
22 facility where more than 7 children are received and  
23 maintained for the purpose of providing them with care or  
24 training or both. The term "child care institution" includes

1 residential schools, primarily serving ambulatory children  
2 with disabilities, and those operating a full calendar year,  
3 but does not include:

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

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

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

13 (d) any bona fide boarding school in which children  
14 are primarily taught branches of education corresponding  
15 to those taught in public schools, grades one through 12,  
16 or taught in public elementary schools, high schools, or  
17 both elementary and high schools, and which operates on a  
18 regular academic school year basis; ~~or~~

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

21 (f) any qualified residential treatment program.

22 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15;  
23 99-180, eff. 7-29-15; 99-642, eff. 7-28-16.)

24 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

25 Sec. 2.17. "Foster family home" means the home of an

1 individual or family:

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

5 (2) in which a child in foster care has been placed in the  
6 care of an individual who resides with the child and who has  
7 been licensed or approved by the state to be a foster parent  
8 and:

9 (A) who the Department of Children and Family Services  
10 deems capable of adhering to the reasonable and prudent  
11 parent standard;

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

14 (3) who provides the care for ~~a facility for child care in~~  
15 ~~residences of families who receive no more than 6 children~~  
16 ~~unrelated to them, unless all the children are of common~~  
17 ~~parentage, or residences of relatives who receive no more than~~  
18 ~~6 related children placed by the Department, unless the~~  
19 ~~children are of common parentage, for the purpose of providing~~  
20 ~~family care and training for the children on a full-time~~  
21 ~~basis,~~ except the Director of Children and Family Services,  
22 pursuant to Department regulations, may waive the numerical  
23 limitation of foster children who may be cared for in a foster  
24 family home for any of the following reasons to allow: (i) ~~(1)~~  
25 a parenting youth in foster care to remain with the child of  
26 the parenting youth; (ii) ~~(2)~~ siblings to remain together;

1 (iii) ~~(3)~~ a child with an established meaningful relationship  
2 with the family to remain with the family; or (iv) ~~(4)~~ a family  
3 with special training or skills to provide care to a child who  
4 has a severe disability. The family's or relative's own  
5 children, under 18 years of age, shall be included in  
6 determining the maximum number of children served.

7 For purposes of this Section, a "relative" includes any  
8 person, 21 years of age or over, other than the parent, who (i)  
9 is currently related to the child in any of the following ways  
10 by blood or adoption: grandparent, sibling, great-grandparent,  
11 uncle, aunt, nephew, niece, first cousin, great-uncle, or  
12 great-aunt; or (ii) is the spouse of such a relative; or (iii)  
13 is a child's step-father, step-mother, or adult step-brother  
14 or step-sister; or (iv) is a fictive kin; "relative" also  
15 includes a person related in any of the foregoing ways to a  
16 sibling of a child, even though the person is not related to  
17 the child, when the child and its sibling are placed together  
18 with that person. For purposes of placement of children  
19 pursuant to Section 7 of the Children and Family Services Act  
20 and for purposes of licensing requirements set forth in  
21 Section 4 of this Act, for children under the custody or  
22 guardianship of the Department pursuant to the Juvenile Court  
23 Act of 1987, after a parent signs a consent, surrender, or  
24 waiver or after a parent's rights are otherwise terminated,  
25 and while the child remains in the custody or guardianship of  
26 the Department, the child is considered to be related to those



1 to whom the child was related under this Section prior to the  
2 signing of the consent, surrender, or waiver or the order of  
3 termination of parental rights.

4 The term "foster family home" includes homes receiving  
5 children from any State-operated institution for child care;  
6 or from any agency established by a municipality or other  
7 political subdivision of the State of Illinois authorized to  
8 provide care for children outside their own homes. The term  
9 "foster family home" does not include an "adoption-only home"  
10 as defined in Section 2.23 of this Act. The types of foster  
11 family homes are defined as follows:

12 (a) "Boarding home" means a foster family home which  
13 receives payment for regular full-time care of a child or  
14 children.

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

18 (c) "Adoptive home" means a foster family home which  
19 receives a child or children for the purpose of adopting  
20 the child or children, but does not include an  
21 adoption-only home.

22 (d) "Work-wage home" means a foster family home which  
23 receives a child or children who pay part or all of their  
24 board by rendering some services to the family not  
25 prohibited by the Child Labor Law or by standards or  
26 regulations of the Department prescribed under this Act.

1 The child or children may receive a wage in connection  
2 with the services rendered the foster family.

3 (e) "Agency-supervised home" means a foster family  
4 home under the direct and regular supervision of a  
5 licensed child welfare agency, of the Department of  
6 Children and Family Services, of a circuit court, or of  
7 any other State agency which has authority to place  
8 children in child care facilities, and which receives no  
9 more than 8 children, unless of common parentage, who are  
10 placed and are regularly supervised by one of the  
11 specified agencies.

12 (f) "Independent home" means a foster family home,  
13 other than an adoptive home, which receives no more than 4  
14 children, unless of common parentage, directly from  
15 parents, or other legally responsible persons, by  
16 independent arrangement and which is not subject to direct  
17 and regular supervision of a specified agency except as  
18 such supervision pertains to licensing by the Department.

19 (g) "Host home" means an emergency foster family home  
20 under the direction and regular supervision of a licensed  
21 child welfare agency, contracted to provide short-term  
22 crisis intervention services to youth served under the  
23 Comprehensive Community-Based Youth Services program,  
24 under the direction of the Department of Human Services.  
25 The youth shall not be under the custody or guardianship  
26 of the Department pursuant to the Juvenile Court Act of

1 1987.

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

3 (225 ILCS 10/2.35 new)

4 Sec. 2.35. "Qualified residential treatment program" means  
5 a program that:

6 (1) has a trauma-informed treatment model that is designed  
7 to address the needs, including clinical needs as appropriate,  
8 of children with serious emotional or behavioral disorders or  
9 disturbances and, with respect to a child, is able to  
10 implement the treatment identified for the child by the  
11 assessment of the child required under 42 U.S.C. 675a(c);

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

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

17 (B) are located on-site; and

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

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

22 (4) facilitates outreach to the family members of the  
23 child, including siblings, documents how the outreach is made,  
24 including contact information, and maintains contact  
25 information for any known biological family and fictive kin of

1 the child;

2 (5) documents how family members are integrated into the  
3 treatment process for the child, including post-discharge, and  
4 how sibling connections are maintained;

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

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

10 (A) the Commission on Accreditation of Rehabilitation  
11 Facilities;

12 (B) the Joint Commission;

13 (C) the Council on Accreditation; or

14 (D) any other independent, not-for-profit accrediting  
15 organization approved by the Secretary of Health and Human  
16 Services as described in 42 U.S.C. 672 (k) (4).

17 Section 45. The Juvenile Court Act of 1987 is amended by  
18 changing Section 1-3 as follows:

19 (705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

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

23 (1) "Adjudicatory hearing" means a hearing to determine  
24 whether the allegations of a petition under Section 2-13,

1 3-15, or 4-12 that a minor under 18 years of age is abused,  
2 neglected, or dependent, or requires authoritative  
3 intervention, or addicted, respectively, are supported by a  
4 preponderance of the evidence or whether the allegations of a  
5 petition under Section 5-520 that a minor is delinquent are  
6 proved beyond a reasonable doubt.

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

8 (3) "Agency" means a public or private child care facility  
9 legally authorized or licensed by this State for placement or  
10 institutional care or for both placement and institutional  
11 care.

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

16 (4.05) Whenever a "best interest" determination is  
17 required, the following factors shall be considered in the  
18 context of the child's age and developmental needs:

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

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

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

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

25 (i) where the child actually feels love,  
26 attachment, and a sense of being valued (as opposed to

1 where adults believe the child should feel such love,  
2 attachment, and a sense of being valued);

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

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

5 (iv) continuity of affection for the child;

6 (v) the least disruptive placement alternative for  
7 the child;

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

9 (f) the child's community ties, including church,  
10 school, and friends;

11 (g) the child's need for permanence which includes the  
12 child's need for stability and continuity of relationships  
13 with parent figures and with siblings and other relatives;

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

15 (i) the risks attendant to entering and being in  
16 substitute care; and

17 (j) the preferences of the persons available to care  
18 for the child.

19 (4.1) "Chronic truant" shall have the definition ascribed  
20 to it in Section 26-2a of the School Code.

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

23 (6) "Dispositional hearing" means a hearing to determine  
24 whether a minor should be adjudged to be a ward of the court,  
25 and to determine what order of disposition should be made in  
26 respect to a minor adjudged to be a ward of the court.

1           (6.5) "Dissemination" or "disseminate" means to publish,  
2 produce, print, manufacture, distribute, sell, lease, exhibit,  
3 broadcast, display, transmit, or otherwise share information  
4 in any format so as to make the information accessible to  
5 others.

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

9           (7.03) "Expunge" means to physically destroy the records  
10 and to obliterate the minor's name from any official index,  
11 public record, or electronic database.

12           (7.05) "Foster parent" includes a relative caregiver  
13 selected by the Department of Children and Family Services to  
14 provide care for the minor.

15           (8) "Guardianship of the person" of a minor means the duty  
16 and authority to act in the best interests of the minor,  
17 subject to residual parental rights and responsibilities, to  
18 make important decisions in matters having a permanent effect  
19 on the life and development of the minor and to be concerned  
20 with the minor's general welfare. It includes but is not  
21 necessarily limited to:

22           (a) the authority to consent to marriage, to  
23 enlistment in the armed forces of the United States, or to  
24 a major medical, psychiatric, and surgical treatment; to  
25 represent the minor in legal actions; and to make other  
26 decisions of substantial legal significance concerning the

1 minor;

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

5 (c) the rights and responsibilities of legal custody  
6 except where legal custody has been vested in another  
7 person or agency; and

8 (d) the power to consent to the adoption of the minor,  
9 but only if expressly conferred on the guardian in  
10 accordance with Section 2-29, 3-30, or 4-27.

11 (8.1) "Juvenile court record" includes, but is not limited  
12 to:

13 (a) all documents filed in or maintained by the  
14 juvenile court pertaining to a specific incident,  
15 proceeding, or individual;

16 (b) all documents relating to a specific incident,  
17 proceeding, or individual made available to or maintained  
18 by probation officers;

19 (c) all documents, video or audio tapes, photographs,  
20 and exhibits admitted into evidence at juvenile court  
21 hearings; or

22 (d) all documents, transcripts, records, reports, or  
23 other evidence prepared by, maintained by, or released by  
24 any municipal, county, or State agency or department, in  
25 any format, if indicating involvement with the juvenile  
26 court relating to a specific incident, proceeding, or



1 individual.

2 (8.2) "Juvenile law enforcement record" includes records  
3 of arrest, station adjustments, fingerprints, probation  
4 adjustments, the issuance of a notice to appear, or any other  
5 records or documents maintained by any law enforcement agency  
6 relating to a minor suspected of committing an offense, and  
7 records maintained by a law enforcement agency that identifies  
8 a juvenile as a suspect in committing an offense, but does not  
9 include records identifying a juvenile as a victim, witness,  
10 or missing juvenile and any records created, maintained, or  
11 used for purposes of referral to programs relating to  
12 diversion as defined in subsection (6) of Section 5-105.

13 (9) "Legal custody" means the relationship created by an  
14 order of court in the best interests of the minor which imposes  
15 on the custodian the responsibility of physical possession of  
16 a minor and the duty to protect, train and discipline the minor  
17 and to provide the minor with food, shelter, education, and  
18 ordinary medical care, except as these are limited by residual  
19 parental rights and responsibilities and the rights and  
20 responsibilities of the guardian of the person, if any.

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

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

3           (11) "Parent" means a father or mother of a child and  
4 includes any adoptive parent. It also includes a person (i)  
5 whose parentage is presumed or has been established under the  
6 law of this or another jurisdiction or (ii) who has registered  
7 with the Putative Father Registry in accordance with Section  
8 12.1 of the Adoption Act and whose paternity has not been ruled  
9 out under the law of this or another jurisdiction. It does not  
10 include a parent whose rights in respect to the minor have been  
11 terminated in any manner provided by law. It does not include a  
12 person who has been or could be determined to be a parent under  
13 the Illinois Parentage Act of 1984 or the Illinois Parentage  
14 Act of 2015, or similar parentage law in any other state, if  
15 that person has been convicted of or pled nolo contendere to a  
16 crime that resulted in the conception of the child under  
17 Section 11-1.20, 11-1.30, 11-1.40, 11-11, 12-13, 12-14,  
18 12-14.1, subsection (a) or (b) (but not subsection (c)) of  
19 Section 11-1.50 or 12-15, or subsection (a), (b), (c), (e), or  
20 (f) (but not subsection (d)) of Section 11-1.60 or 12-16 of the  
21 Criminal Code of 1961 or the Criminal Code of 2012, or similar  
22 statute in another jurisdiction unless upon motion of any  
23 party, other than the offender, to the juvenile court  
24 proceedings the court finds it is in the child's best interest  
25 to deem the offender a parent for purposes of the juvenile  
26 court proceedings.

1 (11.1) "Permanency goal" means a goal set by the court as  
2 defined in subdivision (2) of Section 2-28.

3 (11.2) "Permanency hearing" means a hearing to set the  
4 permanency goal and to review and determine (i) the  
5 appropriateness of the services contained in the plan and  
6 whether those services have been provided, (ii) whether  
7 reasonable efforts have been made by all the parties to the  
8 service plan to achieve the goal, and (iii) whether the plan  
9 and goal have been achieved.

10 (12) "Petition" means the petition provided for in Section  
11 2-13, 3-15, 4-12, or 5-520, including any supplemental  
12 petitions thereunder in Section 3-15, 4-12, or 5-520.

13 (12.1) "Physically capable adult relative" means a person  
14 21 years of age or older who does not have a severe physical  
15 disability or medical condition, or is not suffering from  
16 alcoholism or drug addiction, that prevents the person from  
17 providing the care necessary to safeguard the physical safety  
18 and welfare of a minor who is left in that person's care by the  
19 parent or parents or other person responsible for the minor's  
20 welfare.

21 (12.2) "Post Permanency Sibling Contact Agreement" has the  
22 meaning ascribed to the term in Section 7.4 of the Children and  
23 Family Services Act.

24 (12.3) "Residential treatment center" means a licensed  
25 setting that provides 24-hour care to children in a group home  
26 or institution, including a facility licensed as a child care

1 institution under Section 2.06 of the Child Care Act of 1969, a  
2 licensed group home under Section 2.16 of the Child Care Act of  
3 1969, a qualified residential treatment program under Section  
4 2.35 of the Child Care Act of 1969, a secure child care  
5 facility as defined in paragraph (18) of this Section, or any  
6 similar facility in another state. "Residential treatment  
7 center" does not include a relative foster home or a licensed  
8 foster family home.

9 (13) "Residual parental rights and responsibilities" means  
10 those rights and responsibilities remaining with the parent  
11 after the transfer of legal custody or guardianship of the  
12 person, including, but not necessarily limited to, the right  
13 to reasonable visitation (which may be limited by the court in  
14 the best interests of the minor as provided in subsection  
15 (8) (b) of this Section), the right to consent to adoption, the  
16 right to determine the minor's religious affiliation, and the  
17 responsibility for the minor's support.

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

21 (14.05) "Shelter placement" means a temporary or emergency  
22 placement for a minor, including an emergency foster home  
23 placement.

24 (14.1) "Sibling Contact Support Plan" has the meaning  
25 ascribed to the term in Section 7.4 of the Children and Family  
26 Services Act.

1           (14.2) "Significant event report" means a written document  
2 describing an occurrence or event beyond the customary  
3 operations, routines, or relationships in the Department of  
4 Children of Family Services, a child care facility, or other  
5 entity that is licensed or regulated by the Department of  
6 Children of Family Services or that provides services for the  
7 Department of Children of Family Services under a grant,  
8 contract, or purchase of service agreement; involving children  
9 or youth, employees, foster parents, or relative caregivers;  
10 allegations of abuse or neglect or any other incident raising  
11 a concern about the well-being of a minor under the  
12 jurisdiction of the court under Article II of the Juvenile  
13 Court Act of 1987; incidents involving damage to property,  
14 allegations of criminal activity, misconduct, or other  
15 occurrences affecting the operations of the Department of  
16 Children of Family Services or a child care facility; any  
17 incident that could have media impact; and unusual incidents  
18 as defined by Department of Children and Family Services rule.

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

21           (16) "Ward of the court" means a minor who is so adjudged  
22 under Section 2-22, 3-23, 4-20, or 5-705, after a finding of  
23 the requisite jurisdictional facts, and thus is subject to the  
24 dispositional powers of the court under this Act.

25           (17) "Juvenile police officer" means a sworn police  
26 officer who has completed a Basic Recruit Training Course, has

1 been assigned to the position of juvenile police officer by  
2 the officer's chief law enforcement officer and has completed  
3 the necessary juvenile officers training as prescribed by the  
4 Illinois Law Enforcement Training Standards Board, or in the  
5 case of a State police officer, juvenile officer training  
6 approved by the Director of the Illinois State Police.

7 (18) "Secure child care facility" means any child care  
8 facility licensed by the Department of Children and Family  
9 Services to provide secure living arrangements for children  
10 under 18 years of age who are subject to placement in  
11 facilities under the Children and Family Services Act and who  
12 are not subject to placement in facilities for whom standards  
13 are established by the Department of Corrections under Section  
14 3-15-2 of the Unified Code of Corrections. "Secure child care  
15 facility" also means a facility that is designed and operated  
16 to ensure that all entrances and exits from the facility, a  
17 building, or a distinct part of the building are under the  
18 exclusive control of the staff of the facility, whether or not  
19 the child has the freedom of movement within the perimeter of  
20 the facility, building, or distinct part of the building.

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

23 Section 50. The Unified Code of Corrections is amended by  
24 changing Section 5-4.5-110 as follows:

1 (730 ILCS 5/5-4.5-110)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 5-4.5-110. SENTENCING GUIDELINES FOR INDIVIDUALS WITH  
4 PRIOR FELONY FIREARM-RELATED OR OTHER SPECIFIED CONVICTIONS.

5 (a) DEFINITIONS. For the purposes of this Section:

6 "Firearm" has the meaning ascribed to it in Section  
7 1.1 of the Firearm Owners Identification Card Act.

8 "Qualifying predicate offense" means the following  
9 offenses under the Criminal Code of 2012:

10 (A) aggravated unlawful use of a weapon under  
11 Section 24-1.6 or similar offense under the Criminal  
12 Code of 1961, when the weapon is a firearm;

13 (B) unlawful use or possession of a weapon by a  
14 felon under Section 24-1.1 or similar offense under  
15 the Criminal Code of 1961, when the weapon is a  
16 firearm;

17 (C) first degree murder under Section 9-1 or  
18 similar offense under the Criminal Code of 1961;

19 (D) attempted first degree murder with a firearm  
20 or similar offense under the Criminal Code of 1961;

21 (E) aggravated kidnapping with a firearm under  
22 paragraph (6) or (7) of subsection (a) of Section 10-2  
23 or similar offense under the Criminal Code of 1961;

24 (F) aggravated battery with a firearm under  
25 subsection (e) of Section 12-3.05 or similar offense  
26 under the Criminal Code of 1961;

1 (G) aggravated criminal sexual assault under  
2 Section 11-1.30 or similar offense under the Criminal  
3 Code of 1961;

4 (H) predatory criminal sexual assault of a child  
5 under Section 11-1.40 or similar offense under the  
6 Criminal Code of 1961;

7 (I) armed robbery under Section 18-2 or similar  
8 offense under the Criminal Code of 1961;

9 (J) vehicular hijacking under Section 18-3 or  
10 similar offense under the Criminal Code of 1961;

11 (K) aggravated vehicular hijacking under Section  
12 18-4 or similar offense under the Criminal Code of  
13 1961;

14 (L) home invasion with a firearm under paragraph  
15 (3), (4), or (5) of subsection (a) of Section 19-6 or  
16 similar offense under the Criminal Code of 1961;

17 (M) aggravated discharge of a firearm under  
18 Section 24-1.2 or similar offense under the Criminal  
19 Code of 1961;

20 (N) aggravated discharge of a machine gun or a  
21 firearm equipped with a device designed or used for  
22 silencing the report of a firearm under Section  
23 24-1.2-5 or similar offense under the Criminal Code of  
24 1961;

25 (O) unlawful use of firearm projectiles under  
26 Section 24-2.1 or similar offense under the Criminal



1 Code of 1961;

2 (P) manufacture, sale, or transfer of bullets or  
3 shells represented to be armor piercing bullets,  
4 dragon's breath shotgun shells, bolo shells, or  
5 flechette shells under Section 24-2.2 or similar  
6 offense under the Criminal Code of 1961;

7 (Q) unlawful sale or delivery of firearms under  
8 Section 24-3 or similar offense under the Criminal  
9 Code of 1961;

10 (R) unlawful discharge of firearm projectiles  
11 under Section 24-3.2 or similar offense under the  
12 Criminal Code of 1961;

13 (S) unlawful sale or delivery of firearms on  
14 school premises of any school under Section 24-3.3 or  
15 similar offense under the Criminal Code of 1961;

16 (T) unlawful purchase of a firearm under Section  
17 24-3.5 or similar offense under the Criminal Code of  
18 1961;

19 (U) use of a stolen firearm in the commission of an  
20 offense under Section 24-3.7 or similar offense under  
21 the Criminal Code of 1961;

22 (V) possession of a stolen firearm under Section  
23 24-3.8 or similar offense under the Criminal Code of  
24 1961;

25 (W) aggravated possession of a stolen firearm  
26 under Section 24-3.9 or similar offense under the

1 Criminal Code of 1961;

2 (X) gunrunning under Section 24-3A or similar  
3 offense under the Criminal Code of 1961;

4 (Y) defacing identification marks of firearms  
5 under Section 24-5 or similar offense under the  
6 Criminal Code of 1961; and

7 (Z) armed violence under Section 33A-2 or similar  
8 offense under the Criminal Code of 1961.

9 (b) APPLICABILITY. For an offense committed on or after  
10 January 1, 2018 (the effective date of Public Act 100-3) and  
11 before January 1, 2025 ~~2024~~, when a person is convicted of  
12 unlawful use or possession of a weapon by a felon, when the  
13 weapon is a firearm, or aggravated unlawful use of a weapon,  
14 when the weapon is a firearm, after being previously convicted  
15 of a qualifying predicate offense the person shall be subject  
16 to the sentencing guidelines under this Section.

17 (c) SENTENCING GUIDELINES.

18 (1) When a person is convicted of unlawful use or  
19 possession of a weapon by a felon, when the weapon is a  
20 firearm, and that person has been previously convicted of  
21 a qualifying predicate offense, the person shall be  
22 sentenced to a term of imprisonment within the sentencing  
23 range of not less than 7 years and not more than 14 years,  
24 unless the court finds that a departure from the  
25 sentencing guidelines under this paragraph is warranted  
26 under subsection (d) of this Section.

1           (2) When a person is convicted of aggravated unlawful  
2 use of a weapon, when the weapon is a firearm, and that  
3 person has been previously convicted of a qualifying  
4 predicate offense, the person shall be sentenced to a term  
5 of imprisonment within the sentencing range of not less  
6 than 6 years and not more than 7 years, unless the court  
7 finds that a departure from the sentencing guidelines  
8 under this paragraph is warranted under subsection (d) of  
9 this Section.

10           (3) The sentencing guidelines in paragraphs (1) and  
11 (2) of this subsection (c) apply only to offenses  
12 committed on and after January 1, 2018 (the effective date  
13 of Public Act 100-3) and before January 1, 2025 ~~2024~~.

14           (d) DEPARTURE FROM SENTENCING GUIDELINES.

15           (1) At the sentencing hearing conducted under Section  
16 5-4-1 of this Code, the court may depart from the  
17 sentencing guidelines provided in subsection (c) of this  
18 Section and impose a sentence otherwise authorized by law  
19 for the offense if the court, after considering any factor  
20 under paragraph (2) of this subsection (d) relevant to the  
21 nature and circumstances of the crime and to the history  
22 and character of the defendant, finds on the record  
23 substantial and compelling justification that the sentence  
24 within the sentencing guidelines would be unduly harsh and  
25 that a sentence otherwise authorized by law would be  
26 consistent with public safety and does not deprecate the

1 seriousness of the offense.

2 (2) In deciding whether to depart from the sentencing  
3 guidelines under this paragraph, the court shall consider:

4 (A) the age, immaturity, or limited mental  
5 capacity of the defendant at the time of commission of  
6 the qualifying predicate or current offense, including  
7 whether the defendant was suffering from a mental or  
8 physical condition insufficient to constitute a  
9 defense but significantly reduced the defendant's  
10 culpability;

11 (B) the nature and circumstances of the qualifying  
12 predicate offense;

13 (C) the time elapsed since the qualifying  
14 predicate offense;

15 (D) the nature and circumstances of the current  
16 offense;

17 (E) the defendant's prior criminal history;

18 (F) whether the defendant committed the qualifying  
19 predicate or current offense under specific and  
20 credible duress, coercion, threat, or compulsion;

21 (G) whether the defendant aided in the  
22 apprehension of another felon or testified truthfully  
23 on behalf of another prosecution of a felony; and

24 (H) whether departure is in the interest of the  
25 person's rehabilitation, including employment or  
26 educational or vocational training, after taking into

1 account any past rehabilitation efforts or  
2 dispositions of probation or supervision, and the  
3 defendant's cooperation or response to rehabilitation.

4 (3) When departing from the sentencing guidelines  
5 under this Section, the court shall specify on the record,  
6 the particular evidence, information, factor or factors,  
7 or other reasons which led to the departure from the  
8 sentencing guidelines. When departing from the sentencing  
9 range in accordance with this subsection (d), the court  
10 shall indicate on the sentencing order which departure  
11 factor or factors outlined in paragraph (2) of this  
12 subsection (d) led to the sentence imposed. The sentencing  
13 order shall be filed with the clerk of the court and shall  
14 be a public record.

15 (e) This Section is repealed on January 1, 2025 ~~2024~~.

16 (Source: P.A. 102-1109, eff. 12-21-22.)

17 Section 55. The Crime Victims Compensation Act is amended  
18 by changing Sections 2 and 10.1 as follows:

19 (740 ILCS 45/2)

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

22 (a) "Applicant" means any of the following claiming  
23 compensation under this Act: a victim, a person who was a  
24 dependent of a deceased victim of a crime of violence for the

1 person's support at the time of the death of that victim, a  
2 person who legally assumes the obligation or who voluntarily  
3 pays the medical or the funeral or burial expenses incurred as  
4 a direct result of the crime, and any other ~~person who applies~~  
5 ~~for compensation under this Act or any person the Court of~~  
6 ~~Claims or the Attorney General finds is entitled to~~  
7 ~~compensation, including the guardian of a minor or of a person~~  
8 ~~under legal disability. It includes any person who was a~~  
9 ~~dependent of a deceased victim of a crime of violence for his~~  
10 ~~or her support at the time of the death of that victim.~~

11 The changes made to this subsection by Public Act 101-652  
12 apply to actions commenced or pending on or after January 1,  
13 2022.

14 (b) "Court of Claims" means the Court of Claims created by  
15 the Court of Claims Act.

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

1 Contact Order Act, Section 219 of the Civil No Contact Order  
2 Act, driving under the influence as defined in Section 11-501  
3 of the Illinois Vehicle Code, a violation of Section 11-401 of  
4 the Illinois Vehicle Code, provided the victim was a  
5 pedestrian or was operating a vehicle moved solely by human  
6 power or a mobility device at the time of contact, and a  
7 violation of Section 11-204.1 of the Illinois Vehicle Code; so  
8 long as the offense did not occur during a civil riot,  
9 insurrection or rebellion. "Crime of violence" does not  
10 include any other offense or crash involving a motor vehicle  
11 except those vehicle offenses specifically provided for in  
12 this paragraph. "Crime of violence" does include all of the  
13 offenses specifically provided for in this paragraph that  
14 occur within this State but are subject to federal  
15 jurisdiction and crimes involving terrorism as defined in 18  
16 U.S.C. 2331.

17 (d) "Victim" means (1) a person killed or injured in this  
18 State as a result of a crime of violence perpetrated or  
19 attempted against him or her, (2) the spouse, parent, or child  
20 of a person killed or injured in this State as a result of a  
21 crime of violence perpetrated or attempted against the person,  
22 or anyone living in the household of a person killed or injured  
23 in a relationship that is substantially similar to that of a  
24 parent, spouse, or child, (3) a person killed or injured in  
25 this State while attempting to assist a person against whom a  
26 crime of violence is being perpetrated or attempted, if that

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



1 ~~pecuniary loss incurred for psychological treatment of a~~  
2 ~~mental or emotional condition caused or aggravated by the~~  
3 ~~crime, any parent, spouse, or child under the age of 18 of a~~  
4 ~~deceased person whose body is dismembered or whose remains are~~  
5 ~~desecrated as the result of a crime of violence.~~

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

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

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

19 (h) "Pecuniary loss" means:7

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

1 counselor, or licensed clinical professional counselor and  
2 expenses for treatment by Christian Science practitioners  
3 and nursing care appropriate thereto;

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

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

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

11 (5) costs associated with trafficking tattoo removal  
12 by a person authorized or licensed to perform the specific  
13 removal procedure;

14 (6) replacement costs for clothing and bedding used as  
15 evidence;

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

22 (8) locks or windows necessary or damaged as a result  
23 of the crime;

24 (9) the purchase, lease, or rental of equipment  
25 necessary to create usability of and accessibility to the  
26 victim's real and personal property, or the real and

1 personal property which is used by the victim, necessary  
2 as a result of the crime; "real and personal property"  
3 includes, but is not limited to, vehicles, houses,  
4 apartments, townhouses, or condominiums;

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

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

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

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

21 (14) loss of earnings, loss of future earnings because  
22 of disability resulting from the injury. Loss of future  
23 earnings shall be reduced by any income from substitute  
24 work actually performed by the victim or by income the  
25 victim would have earned in available appropriate  
26 substitute work the victim was capable of performing but

1 unreasonably failed to undertake; loss of earnings and  
2 loss of future earnings shall be determined on the basis  
3 of the victim's average net monthly earnings for the 6  
4 months immediately preceding the date of the injury or on  
5 \$2,400 per month, whichever is less, or, in cases where  
6 the absences commenced more than 3 years from the date of  
7 the crime, on the basis of the net monthly earnings for the  
8 6 months immediately preceding the date of the first  
9 absence, not to exceed \$2,400 per month;~~7~~

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

1 for minors shall be divided in proportion to the amount of  
2 the actual loss among those entitled to such compensation;

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

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

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

19 "Pecuniary loss" does not include pain and suffering or  
20 property loss or damage.

21 The changes made to this subsection by Public Act 101-652  
22 apply to actions commenced or pending on or after January 1,  
23 2022.

24 (i) "Replacement services loss" means expenses reasonably  
25 incurred in obtaining ordinary and necessary services in lieu  
26 of those the injured person would have performed, not for

1 income, but for the benefit of himself or herself or his or her  
2 family, if he or she had not been injured.

3 (j) "Dependents replacement services loss" means loss  
4 reasonably incurred by dependents or private legal guardians  
5 of minor dependents after a victim's death in obtaining  
6 ordinary and necessary services in lieu of those the victim  
7 would have performed, not for income, but for their benefit,  
8 if he or she had not been fatally injured.

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

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

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

16 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;  
17 102-982, eff. 7-1-23; 103-154, eff. 6-30-23.)

18 (740 ILCS 45/10.1) (from Ch. 70, par. 80.1)

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

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

25 (b) Each ~~A~~ dependent may be compensated for loss of

1 support, as provided in paragraph (15) of subsection (h)  
2 of Section 2.

3 (c) Any person, even though not dependent upon the  
4 victim for his or her support, may be compensated for  
5 reasonable expenses of the victim to the extent to which  
6 he or she has paid or become obligated to pay such expenses  
7 and only after compensation for reasonable funeral,  
8 medical and hospital expenses of the victim have been  
9 awarded may compensation be made for reasonable expenses  
10 of the victim incurred for psychological treatment of a  
11 mental or emotional condition caused or aggravated by the  
12 crime. Persons that have paid or become obligated to pay  
13 expenses for a victim shall share the maximum award with  
14 the amount divided in proportion to the amount of the  
15 actual loss among those entitled to compensation.

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

26 (e) An award shall be reduced by the amount of



1 benefits, payments or awards payable under those sources  
2 which are required to be listed under item (7) of Section  
3 7.1(a) and any other sources except annuities, pension  
4 plans, Federal Social Security payments payable to  
5 dependents of the victim and the net proceeds of the first  
6 \$25,000 of life insurance that would inure to the benefit  
7 of the applicant, which the applicant or any other person  
8 dependent for the support of a deceased victim, as the  
9 case may be, has received or to which he or she is entitled  
10 as a result of injury to or death of the victim.

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

23 (g) Compensation under this Act is a secondary source  
24 of compensation and the applicant must show that he or she  
25 has exhausted the benefits reasonably available under the  
26 Criminal Victims' Escrow Account Act or any governmental

1 or medical or health insurance programs, including, but  
2 not limited to, Workers' Compensation, the Federal  
3 Medicare program, the State Public Aid program, Social  
4 Security Administration burial benefits, and Veterans  
5 Administration burial benefits, and life, health,  
6 accident, full vehicle coverage (including towing  
7 insurance, if available), or liability insurance.

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

9 Section 95. No acceleration or delay. Where this Act makes  
10 changes in a statute that is represented in this Act by text  
11 that is not yet or no longer in effect (for example, a Section  
12 represented by multiple versions), the use of that text does  
13 not accelerate or delay the taking effect of (i) the changes  
14 made by this Act or (ii) provisions derived from any other  
15 Public Act.

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law."