



Sen. Bill Cunningham

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10300HB3641sam003

LRB103 30390 AWJ 65350 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, as
13 determined by a physician licensed to practice medicine in all
14 its branches, injectable medicines prescribed on-label or
15 off-label to improve glucose or weight loss for use by adults
16 diagnosed or previously diagnosed with prediabetes,

1 gestational diabetes, or obesity. To continue to qualify for
2 coverage under this Section, the continued treatment must be
3 medically necessary, and covered members must, if given
4 advance, written notice, participate in a lifestyle management
5 plan administered by their health plan. This Section does not
6 apply to individuals covered by a Medicare Advantage
7 Prescription Drug Plan.

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

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

11 (20 ILCS 505/5.46)

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

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

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

21 "Benefits" means Social Security benefits, Supplemental
22 Security Income, Veterans benefits, and Railroad Retirement
23 benefits.

24 "DCFS Guardianship Administrator" means a Department

1 representative appointed as guardian of the person or legal
2 custodian of the minor youth in care.

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

8 (b) Application for benefits.

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

23 (2) When applying for benefits under this Section for
24 a youth in care the Department shall identify a
25 representative payee in accordance with the requirements
26 of 20 CFR 404.2021 and 416.621. If the Department is

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

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

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

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

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

26 (d) Use of benefits. Consistent with federal law, when the

1 Department serves as the representative payee for a youth
2 receiving benefits and receives benefits on the youth's
3 behalf, the Department shall:

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

10 (A) From the age of 14 through age 15, at least
11 40%.

12 (B) From the age of 16 through age 17, at least
13 80%.

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

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

1 Veterans benefits, or Railroad Retirement benefits are
2 conserved in accordance with paragraph (3) or (4), as
3 applicable, as follows:

4 (A) From the age of 14 through age 15, at least
5 40%.

6 (B) From the age of 16 through age 17, at least
7 80%.

8 (C) From the age of 18 ~~through 20~~, 100%. If
9 establishment of an ABLE account is necessary to
10 conserve benefits for youth age 18 and older, then
11 benefits shall be conserved in accordance with
12 paragraph (4) when a court order has been entered
13 expressly authorizing the DCFS Guardianship
14 Administrator to serve as the designated
15 representative to establish an ABLE account on behalf
16 of a youth, ~~when a court order has been entered~~
17 ~~expressly allowing the Department to have the~~
18 ~~authority to establish and serve as an authorized~~
19 ~~agent of the youth over the age of 18 with respect to~~
20 ~~an account established in accordance with paragraph~~
21 ~~(4).~~

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

1 youth's special needs and conserving the benefits for the
2 youth's reasonably foreseeable future needs.

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

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

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

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

24 (A) ~~(D)~~ establishing an ABLE account authorized by
25 Section 529A of the Internal Revenue Code of 1986, for
26 the youth and conserving the youth's benefits in that

1 account in a manner that appropriately avoids any
2 federal asset or resource limits;

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

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

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

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

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

1 (e) By July 1, 2024, the Department shall provide a report
2 to the General Assembly regarding youth in care who receive
3 benefits who are not subject to this Act. The report shall
4 discuss a goal of expanding conservation of children's
5 benefits to all benefits of all children of any age for whom
6 the Department serves as representative payee. The report
7 shall include a description of any identified obstacles, steps
8 to be taken to address the obstacles, and a description of any
9 need for statutory, rule, or procedural changes.

10 (f) (1) Accounting.

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

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

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

1 (2) The accounting shall include:

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

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

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

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

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

1 ~~The Department shall adopt rules to ensure that the~~
2 ~~representative payee transitions occur in a timely and~~
3 ~~appropriate manner.~~

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

17 (h) Adoption of rules. The Department shall adopt rules to
18 implement the provisions of this Section by January 1, 2024
19 ~~2023~~.

20 (i) Reporting. No later than February 28, 2023, the
21 Department shall file a report with the General Assembly
22 providing the following information for State Fiscal Years
23 2019, 2020, 2021, and 2022 and annually beginning February 28,
24 2023, for the preceding fiscal year:

25 (1) The number of youth entering care.

26 (2) The number of youth entering care receiving each

1 of the following types of benefits: Social Security
2 benefits, Supplemental Security Income, Veterans benefits,
3 Railroad Retirement benefits.

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

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

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

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

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

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

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

22 Section 15. The Illinois State Police Law of the Civil
23 Administrative Code of Illinois is amended by changing Section
24 2605-10 as follows:

1 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

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

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

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

7 The Illinois State Police Act.

8 The Illinois State Police Radio Act.

9 The Criminal Identification Act.

10 The Illinois Vehicle Code.

11 The Firearm Owners Identification Card Act.

12 The Firearm Concealed Carry Act.

13 The Gun Dealer Licensing Act.

14 The Intergovernmental Missing Child Recovery Act of
15 1984.

16 The Intergovernmental Drug Laws Enforcement Act.

17 The Narcotic Control Division Abolition Act.

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

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

21 (Text of Section after amendment by P.A. 103-34)

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

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

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

1 enforcement activities involving the protection of State
2 facilities, officials, and employees.

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

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

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

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

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

23 (8) Oversee the planning and implementation of
24 security and law enforcement activities necessary for the
25 protection of major, multi-jurisdictional events
26 implicating potential criminal threats to State officials,

1 State employees, or State-owned, State-leased, or
2 State-operated critical infrastructure or facilities.

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

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

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

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

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

1 (20 ILCS 4128/15)

2 Sec. 15. Membership; appointments; meeting.

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

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

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

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

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

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

19 (6) the Director of Agriculture or the Director's
20 designee;

21 (7) 5 members who are appointed by the Director of
22 Agriculture. Of the members appointed by the Director of
23 Agriculture, 3 members shall be commercial producers of
24 agricultural commodities, of which one member shall be
25 from the largest statewide agricultural association; and 2
26 members shall be representatives from the University of

1 Illinois College of Agricultural, Consumer and
2 Environmental Sciences engaged in nutritional research;
3 and

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

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

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

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

26 (e) The Department of Agriculture shall provide

1 administrative and other support to the Task Force.

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

3 (20 ILCS 4128/20)

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

5 (a) The Task Force shall submit a report of its findings
6 and recommendations to the General Assembly no later than June
7 30, 2024 ~~December 31, 2023~~.

8 (b) The Task Force shall be dissolved on December 31,
9 2024.

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

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

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

14 (30 ILCS 500/20-10)

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

16 (Text of Section from P.A. 96-159, 96-588, 97-96, 97-895,
17 98-1076, 99-906, 100-43, 101-31, 101-657, and 102-29)

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

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

22 (b) Invitation for bids. An invitation for bids shall be
23 issued and shall include a purchase description and the

1 material contractual terms and conditions applicable to the
2 procurement.

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

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

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

1 be used.

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

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

- 21 (1) a description of the agency's needs;
- 22 (2) a determination that the anticipated cost will be
23 fair and reasonable;
- 24 (3) a listing of all responsible and responsive
25 bidders; and
- 26 (4) the name of the bidder selected, the total

1 contract price, and the reasons for selecting that bidder.

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

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

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 Section 1-56, subsections (a) and (c) of Section 1-75 and
21 subsection (d) of Section 1-78 of the Illinois Power Agency
22 Act and Section 16-111.5(c) of the Public Utilities Act and to
23 procure renewable energy resources under Section 1-56 of the
24 Illinois Power Agency Act. These alternative procedures shall
25 be set 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. 101-31, eff. 6-28-19; 101-657, eff. 1-1-22;
13 102-29, eff. 6-25-21.)

14 (Text of Section from P.A. 96-159, 96-795, 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.

24 (c) Public notice. Public notice of the invitation for
25 bids shall be published in the Illinois Procurement Bulletin

1 at least 14 calendar days before the date set in the invitation
2 for the opening of bids.

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

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

24 (f) Correction or withdrawal of bids. Correction or
25 withdrawal of inadvertently erroneous bids before or after
26 award, or cancellation of awards of contracts based on bid

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

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

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

18 (2) a determination that the anticipated cost will be
19 fair and reasonable;

20 (3) a listing of all responsible and responsive
21 bidders; and

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

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

26 The written explanation shall be filed with the

1 Legislative Audit Commission, and the Commission on Equity and
2 Inclusion, and the Procurement Policy Board, and be made
3 available for inspection by the public, within 14 days after
4 the agency's decision to award the contract.

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

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

24 (j) Reverse auction. Notwithstanding any other provision
25 of this Section and in accordance with rules adopted by the
26 chief procurement officer, that chief procurement officer may

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

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

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

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

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

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

1 be made by mutual written consent of the State purchasing
2 officer and the lowest responsible bidder.

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

8 (Source: P.A. 101-31, eff. 6-28-19; 101-657, eff. 1-1-22;
9 102-29, eff. 6-25-21.)

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

11 (Text of Section from P.A. 96-159, 96-588, 97-96, 97-895,
12 98-1076, 99-906, 100-43, 101-31, 101-657, 102-29, and 103-558)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (h) Multi-step sealed bidding. When it is considered
23 impracticable to initially prepare a purchase description to
24 support an award based on price, an invitation for bids may be
25 issued requesting the submission of unpriced offers to be
26 followed by an invitation for bids limited to those bidders

1 whose offers have been qualified under the criteria set forth
2 in the first solicitation.

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

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

24 An invitation for bids shall be issued and shall include
25 (i) a procurement description, (ii) all contractual terms,
26 whenever practical, and (iii) conditions applicable to the

1 procurement, including a notice that bids will be received in
2 an electronic auction manner.

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

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

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

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

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

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

1 (Text of Section from P.A. 96-159, 96-795, 97-96, 97-895,
2 98-1076, 99-906, 100-43, 101-31, 101-657, 102-29, and 103-558)

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

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

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

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

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

24 (e) Bid acceptance and bid evaluation. Bids shall be
25 unconditionally accepted without alteration or correction,
26 except as authorized in this Code. Bids shall be evaluated

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

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

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

1 appear in the appropriate volume of the Illinois Procurement
2 Bulletin. The written explanation must include:

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

4 (2) a determination that the anticipated cost will be
5 fair and reasonable;

6 (3) a listing of all responsible and responsive
7 bidders; and

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

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

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

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

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

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

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

1 forth together with the other criteria contained in the
2 invitation for bids, and shall appear in the appropriate
3 volume of the Illinois Procurement Bulletin.

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

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

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

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

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

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

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

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

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

17 (50 ILCS 750/19)

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

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

20 (a) Beginning July 1, 2015, there is created the Statewide
21 9-1-1 Advisory Board within the Illinois State Police. The
22 Board shall consist of the following voting members:

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

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

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

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

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

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

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

15 (D) one member representing a county 9-1-1 system
16 from a county with a population between 100,001 and
17 250,000;

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

20 (F) one member representing a municipal or
21 intergovernmental cooperative 9-1-1 system, excluding
22 any single municipality with a population over
23 500,000;

24 (G) one member representing the Illinois
25 Association of Chiefs of Police;

26 (H) one member representing the Illinois Sheriffs'

1 Association; and

2 (I) one member representing the Illinois Fire
3 Chiefs Association.

4 The Governor shall appoint the following non-voting
5 members: (i) one member representing an incumbent local
6 exchange 9-1-1 system provider; (ii) one member representing a
7 non-incumbent local exchange 9-1-1 system provider; (iii) one
8 member representing a large wireless carrier; (iv) one member
9 representing an incumbent local exchange carrier; (v) one
10 member representing the Illinois Broadband and
11 Telecommunications Association; (vi) one member representing
12 the Illinois Broadband and Cable Association; and (vii) one
13 member representing the Illinois State Ambulance Association.

14 The Speaker of the House of Representatives, the Minority
15 Leader of the House of Representatives, the President of the
16 Senate, and the Minority Leader of the Senate may each appoint
17 a member of the General Assembly to temporarily serve as a
18 non-voting member of the Board during the 12 months prior to
19 the repeal date of this Act to discuss legislative initiatives
20 of the Board.

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

1 for a term of 3 years and until their respective successors are
2 appointed. Non-voting members shall serve for a term of 3
3 years. Vacancies shall be filled in the same manner as the
4 original appointment. Persons appointed to fill a vacancy
5 shall serve for the balance of the unexpired term.

6 Members of the Statewide 9-1-1 Advisory Board shall serve
7 without compensation.

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

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

14 (1) advise the Illinois State Police and the Statewide
15 9-1-1 Administrator on the oversight of 9-1-1 systems and
16 the development and implementation of a uniform statewide
17 9-1-1 system;

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

21 (3) exercise all other powers and duties provided in
22 this Act.

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

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

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

5 (50 ILCS 750/30)

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

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

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

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

14 (1) 9-1-1 wireless surcharges assessed under the
15 Wireless Emergency Telephone Safety Act.

16 (2) 9-1-1 surcharges assessed under Section 20 of this
17 Act.

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

20 (4) Any appropriations, grants, or gifts made to the
21 Fund.

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

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

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

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

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

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

26 (C) Until December 31, 2017, \$0.007 and on and

1 after January 1, 2018, \$0.017 shall be used to cover
2 the Illinois State Police's administrative costs.

3 (D) Beginning January 1, 2018, until June 30,
4 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
5 be used to make monthly proportional grants to the
6 appropriate 9-1-1 Authority currently taking wireless
7 9-1-1 based upon the United States Postal Zip Code of
8 the billing addresses of subscribers wireless
9 carriers.

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

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

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

22 (A) The Fund shall pay monthly to:

23 (i) the 9-1-1 Authorities that imposed
24 surcharges under Section 15.3 of this Act and were
25 required to report to the Illinois Commerce
26 Commission under Section 27 of the Wireless

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

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

1 counties; or

2 (iii) counties without 9-1-1 service that had
3 a surcharge in place by December 31, 2015, an
4 amount equivalent to their population multiplied
5 by .37 multiplied by their surcharge rate as
6 established by the referendum.

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

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

16 (D) Funds may be held in reserve by the Statewide
17 9-1-1 Advisory Board and disbursed by the Illinois
18 State Police for grants under Section 15.4b of this
19 Act and for NG9-1-1 expenses up to \$12.5 million per
20 year in State fiscal years 2016 and 2017; up to \$20
21 million in State fiscal year 2018; up to \$20.9 million
22 in State fiscal year 2019; up to \$15.3 million in State
23 fiscal year 2020; up to \$16.2 million in State fiscal
24 year 2021; up to \$23.1 million in State fiscal year
25 2022; and up to \$17.0 million per year for State fiscal
26 year 2023 and each year thereafter. The amount held in

1 reserve in State fiscal years 2021, 2022, and 2023
2 shall not be less than \$6.5 million. Disbursements
3 under this subparagraph (D) shall be prioritized as
4 follows: (i) consolidation grants prioritized under
5 subsection (a) of Section 15.4b of this Act; (ii)
6 NG9-1-1 expenses; and (iii) consolidation grants under
7 Section 15.4b of this Act for consolidation expenses
8 incurred between January 1, 2010, and January 1, 2016.

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

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

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

1 Emergency Telephone System Board, the Joint Emergency
2 Telephone System Board shall be entitled to the monthly
3 payments that would have otherwise been paid to the county if
4 it had provided 9-1-1 service.

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

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

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

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

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

15 (1) (Blank).

16 (2) 9-1-1 surcharges assessed under Section 20 of this
17 Act.

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

20 (4) Any appropriations, grants, or gifts made to the
21 Fund.

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

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

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

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

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

15 (B) (Blank).

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

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

26 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used

1 by the Illinois State Police for grants for NG9-1-1
2 expenses, with priority given to 9-1-1 Authorities
3 that provide 9-1-1 service within the territory of a
4 Large Electing Provider as defined in Section 13-406.1
5 of the Public Utilities Act.

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

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

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

1 consistent with this paragraph (1.5) at the discretion
2 of the Illinois State Police.

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

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

18 (A) The Fund shall pay monthly to:

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

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

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

24 (iii) counties without 9-1-1 service that had
25 a surcharge in place by December 31, 2015, an
26 amount equivalent to their population multiplied

1 by .37 multiplied by their surcharge rate as
2 established by the referendum.

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

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

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

1 subsection (a) of Section 15.4b of this Act; (ii)
2 NG9-1-1 expenses; and (iii) consolidation grants under
3 Section 15.4b of this Act for consolidation expenses
4 incurred between January 1, 2010, and January 1, 2016.

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

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

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

26 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;

1 102-813, eff. 5-13-22; 103-366, eff. 1-1-24.)

2 (50 ILCS 750/35)

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

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

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

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

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

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

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

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

25 (6) The initial acquisition and installation, or the

1 reimbursement of costs therefor to other governmental
2 bodies that have incurred those costs, of road or street
3 signs that are essential to the implementation of the
4 Emergency Telephone System and that are not duplicative of
5 signs that are the responsibility of the jurisdiction
6 charged with maintaining road and street signs. Funds may
7 not be used for ongoing expenses associated with road or
8 street sign maintenance and replacement.

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

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

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

25 (10) The design, implementation, operation,
26 maintenance, or upgrade of wireless 9-1-1, E9-1-1, or

1 NG9-1-1 emergency services and public safety answering
2 points.

3 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. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

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

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

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

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

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

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

24 (A) PSAP operating costs, including lease,
25 purchase, maintenance, replacement, and upgrade of

1 customer premises equipment (hardware and software),
2 CAD equipment (hardware and software), and the PSAP
3 building and facility and including NG9-1-1,
4 cybersecurity, pre-arrival instructions, and emergency
5 notification systems. PSAP operating costs include
6 technological innovation that supports 9-1-1;

7 (B) PSAP personnel costs, including
8 telecommunicators' salaries and training;

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

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

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

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

1 bodies for the acquisition and installation of those
2 signs, except that expenditures may not be used for
3 ongoing expenses associated with sign maintenance and
4 replacement.

5 (3) (Blank).

6 (4) (Blank).

7 (5) (Blank).

8 (6) (Blank).

9 (7) (Blank).

10 (8) (Blank).

11 (9) (Blank).

12 (10) (Blank).

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

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

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

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

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

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

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

16 (50 ILCS 753/15)

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

18 (a) Until September 30, 2015, there is hereby imposed on
19 consumers a prepaid wireless 9-1-1 surcharge of 1.5% per
20 retail transaction. Beginning October 1, 2015, the prepaid
21 wireless 9-1-1 surcharge shall be 3% per retail transaction.
22 Until December 31, 2023, the ~~The~~ surcharge authorized by this
23 subsection (a) does not apply in a home rule municipality
24 having a population in excess of 500,000.

1 (a-5) On or after the effective date of this amendatory
2 Act of the 98th General Assembly and until December 31, 2023, a
3 home rule municipality having a population in excess of
4 500,000 on the effective date of this amendatory Act may
5 impose a prepaid wireless 9-1-1 surcharge not to exceed 9% per
6 retail transaction sourced to that jurisdiction and collected
7 and remitted in accordance with the provisions of subsection
8 (b-5) of this Section.

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

23 For purposes of this subsection (b), a retail transaction
24 occurs in this State if (i) the retail transaction is made in
25 person by a consumer at the seller's business location and the
26 business is located within the State; (ii) the seller is a

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

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

1 for retail transactions.

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

22 (c) The prepaid wireless 9-1-1 surcharge is imposed on the
23 consumer and not on any provider. The seller shall be liable to
24 remit all prepaid wireless 9-1-1 surcharges that the seller
25 collects from consumers as provided in Section 20, including
26 all such surcharges that the seller is deemed to collect where

1 the amount of the surcharge has not been separately stated on
2 an invoice, receipt, or other similar document provided to the
3 consumer by the seller. The surcharge collected or deemed
4 collected by a seller shall constitute a debt owed by the
5 seller to this State, and any such surcharge actually
6 collected shall be held in trust for the benefit of the
7 Department.

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

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

19 (e) (Blank).

20 (e-5) Any changes in the rate of the surcharge imposed by a
21 municipality under the authority granted in subsection (a-5)
22 of this Section shall be effective on the first day of the
23 first calendar month to occur at least 60 days after the
24 enactment of the change. The Department shall provide not less
25 than 30 days' notice of the increase or reduction in the rate
26 of such surcharge on the Department's website.

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

22 (g) The prepaid wireless 9-1-1 surcharge imposed under
23 subsections (a) and (a-5) of this Section is not imposed on the
24 provider or the consumer for wireless Lifeline service where
25 the consumer does not pay the provider for the service. Where
26 the consumer purchases from the provider optional minutes,

1 texts, or other services in addition to the federally funded
2 Lifeline benefit, a consumer must pay the prepaid wireless
3 9-1-1 surcharge, and it must be collected by the seller
4 according to subsection (b-5).

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

6 Section 40. The School Code is amended by changing
7 Sections 21B-20, 27-20.3, and 27-21 and by renumbering and
8 changing Section 22-95, as added by Public Act 103-46, as
9 follows:

10 (105 ILCS 5/21B-20)

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

12 Sec. 21B-20. Types of licenses. The State Board of
13 Education shall implement a system of educator licensure,
14 whereby individuals employed in school districts who are
15 required to be licensed must have one of the following
16 licenses: (i) a professional educator license; (ii) an
17 educator license with stipulations; (iii) a substitute
18 teaching license; or (iv) until June 30, 2028, a short-term
19 substitute teaching license. References in law regarding
20 individuals certified or certificated or required to be
21 certified or certificated under Article 21 of this Code shall
22 also include individuals licensed or required to be licensed
23 under this Article. The first year of all licenses ends on June
24 30 following one full year of the license being issued.

1 The State Board of Education, in consultation with the
2 State Educator Preparation and Licensure Board, may adopt such
3 rules as may be necessary to govern the requirements for
4 licenses and endorsements under this Section.

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

1 children from birth through grade 2, and the individual
2 may be paid and receive credit while student teaching. The
3 student teaching experience must meet the requirements of
4 and be approved by the individual's early childhood
5 teacher preparation program.

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

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

16 An individual with an Educator License with
17 Stipulations must not be employed by a school district or
18 any other entity to replace any presently employed teacher
19 who otherwise would not be replaced for any reason.

20 An Educator License with Stipulations may be issued
21 with the following endorsements:

22 (A) (Blank).

23 (B) Alternative provisional educator. An
24 alternative provisional educator endorsement on an
25 Educator License with Stipulations may be issued to an
26 applicant who, at the time of applying for the

1 endorsement, has done all of the following:

2 (i) Graduated from a regionally accredited
3 college or university with a minimum of a
4 bachelor's degree.

5 (ii) Successfully completed the first phase of
6 the Alternative Educator Licensure Program for
7 Teachers, as described in Section 21B-50 of this
8 Code.

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

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

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

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

26 (ii) Been employed for a period of at least 5

1 years in a management level position in a field
2 other than education.

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

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

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

12 (D) (Blank).

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

21 The career and technical educator 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.

25 An individual who holds a valid career and
26 technical educator endorsement on an Educator License

1 with Stipulations but does not hold a bachelor's
2 degree may substitute teach in career and technical
3 education classrooms.

4 (F) (Blank).

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

12 (i) Possesses adequate speaking, reading, and
13 writing ability in the language other than English
14 in which transitional bilingual education is
15 offered.

16 (ii) Has the ability to successfully
17 communicate in English.

18 (iii) Either possessed, within 5 years
19 previous to his or her applying for a transitional
20 bilingual educator endorsement, a valid and
21 comparable teaching certificate or comparable
22 authorization issued by a foreign country or holds
23 a degree from an institution of higher learning in
24 a foreign country that the State Educator
25 Preparation and Licensure Board determines to be
26 the equivalent of a bachelor's degree from a

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

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

8 Persons holding a transitional bilingual educator
9 endorsement shall not be employed to replace any
10 presently employed teacher who otherwise would not be
11 replaced for any reason.

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

20 (i) Holds a transitional bilingual
21 endorsement.

22 (ii) Has demonstrated proficiency in the
23 language for which the endorsement is to be issued
24 by passing the applicable language content test
25 required by the State Board of Education.

26 (iii) Holds a bachelor's degree or higher from

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

10 (iv) (Blank).

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

17 (I) Visiting international educator. A visiting
18 international educator endorsement on an Educator
19 License with Stipulations may be issued to an
20 individual who is being recruited by a particular
21 school district that conducts formal recruitment
22 programs outside of the United States to secure the
23 services of qualified teachers and who meets all of
24 the following requirements:

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

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

3 (iii) Has adequate content knowledge in the
4 subject to be taught.

5 (iv) Has an adequate command of the English
6 language.

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

17 A visiting international educator endorsement on
18 an Educator License with Stipulations is valid for 5
19 years and shall not be renewed.

20 (J) Paraprofessional educator. A paraprofessional
21 educator endorsement on an Educator License with
22 Stipulations may be issued to an applicant who holds a
23 high school diploma or its recognized equivalent and
24 (i) holds an associate's degree or a minimum of 60
25 semester hours of credit from a regionally accredited
26 institution of higher education; (ii) has passed a

1 paraprofessional competency test under subsection
2 (c-5) of Section 21B-30; or (iii) is at least 18 years
3 of age and will be using the Educator License with
4 Stipulations exclusively for grades prekindergarten
5 through grade 8, until the individual reaches the age
6 of 19 years and otherwise meets the criteria for a
7 paraprofessional educator endorsement pursuant to this
8 subparagraph (J). The paraprofessional educator
9 endorsement is valid until June 30 immediately
10 following 5 years of the endorsement being issued and
11 may be renewed through application and payment of the
12 appropriate fee, as required under Section 21B-40 of
13 this Code. An individual who holds only a
14 paraprofessional educator endorsement is not subject
15 to additional requirements in order to renew the
16 endorsement.

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

1 applicable State tests, including an applicable
2 content area test.

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

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

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

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

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

10 (ii) Has completed an approved educator
11 preparation program at an Illinois institution.

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

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

20 A provisional in-state educator endorsement on an
21 Educator License with Stipulations is valid for one
22 full fiscal year after the date of issuance and may not
23 be renewed.

24 (M) (Blank).

25 (N) Specialized services. A specialized services
26 endorsement on an Educator License with Stipulations

1 may be issued as defined and specified by rule.

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

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

20 An individual who holds a provisional career and
21 technical educator endorsement on an Educator License
22 with Stipulations may teach as a substitute teacher in
23 career and technical education classrooms.

24 (3) Substitute Teaching License. A Substitute Teaching
25 License may be issued to qualified applicants for
26 substitute teaching in all grades of the public schools,

1 prekindergarten through grade 12. Substitute Teaching
2 Licenses are not eligible for endorsements. Applicants for
3 a Substitute Teaching License must hold a bachelor's
4 degree or higher from a regionally accredited institution
5 of higher education or must be enrolled in an approved
6 educator preparation program in this State and have earned
7 at least 90 credit hours.

8 Substitute Teaching Licenses are valid for 5 years.

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

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

1 teacher capacity needs of the district exceed previous
2 indications, and the district is actively engaged in
3 advertising to hire a fully licensed teacher for the
4 vacant position.

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

19 A school district may not require an individual who
20 holds a valid Professional Educator License or Educator
21 License with Stipulations to seek or hold a Substitute
22 Teaching License to teach as a substitute teacher.

23 (4) Short-Term Substitute Teaching License. Beginning
24 on July 1, 2018 and until June 30, 2028, applicants may
25 apply to the State Board of Education for issuance of a
26 Short-Term Substitute Teaching License. A Short-Term

1 Substitute Teaching License may be issued to a qualified
2 applicant for substitute teaching in all grades of the
3 public schools, prekindergarten through grade 12.
4 Short-Term Substitute Teaching Licenses are not eligible
5 for endorsements. Applicants for a Short-Term Substitute
6 Teaching License must hold an associate's degree or have
7 completed at least 60 credit hours from a regionally
8 accredited institution of higher education.

9 Short-Term Substitute Teaching Licenses are valid for
10 substitute teaching in every county of this State. If an
11 individual has had his or her Professional Educator
12 License or Educator License with Stipulations suspended or
13 revoked, then that individual is not eligible to obtain a
14 Short-Term Substitute Teaching License.

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

17 An individual holding a Short-Term Substitute Teaching
18 License may teach no more than 15 consecutive days per
19 licensed teacher who is under contract. For teacher
20 absences lasting 6 or more days per licensed teacher who
21 is under contract, a school district may not hire an
22 individual holding a Short-Term Substitute Teaching
23 License, unless the Governor has declared a disaster due
24 to a public health emergency pursuant to Section 7 of the
25 Illinois Emergency Management Agency Act. An individual
26 holding a Short-Term Substitute Teaching License must

1 complete the training program under Section 10-20.67 or
2 34-18.60 of this Code to be eligible to teach at a public
3 school. Short-Term Substitute Teaching Licenses ~~Short-term~~
4 ~~substitute teaching licenses~~ under this Section are valid
5 for 5 years.

6 (Source: P.A. 102-711, eff. 1-1-23; 102-712, eff. 4-27-22;
7 102-713, eff. 1-1-23; 102-717, eff. 4-29-22; 102-894, eff.
8 5-20-22; 103-111, eff. 6-29-23; 103-154, eff. 6-30-23; revised
9 9-7-23.)

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

11 Sec. 21B-20. Types of licenses. The State Board of
12 Education shall implement a system of educator licensure,
13 whereby individuals employed in school districts who are
14 required to be licensed must have one of the following
15 licenses: (i) a professional educator license; (ii) an
16 educator license with stipulations; (iii) a substitute
17 teaching license; or (iv) until June 30, 2028, a short-term
18 substitute teaching license. References in law regarding
19 individuals certified or certificated or required to be
20 certified or certificated under Article 21 of this Code shall
21 also include individuals licensed or required to be licensed
22 under this Article. The first year of all licenses ends on June
23 30 following one full year of the license being issued.

24 The State Board of Education, in consultation with the
25 State Educator Preparation and Licensure Board, may adopt such

1 rules as may be necessary to govern the requirements for
2 licenses and endorsements under this Section.

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

1 student teaching experience must meet the requirements of
2 and be approved by the individual's early childhood
3 teacher preparation program.

4 Individuals can receive subsequent endorsements on the
5 Professional Educator License. Subsequent endorsements
6 shall require a minimum of 24 semester hours of coursework
7 in the endorsement area and passage of the applicable
8 content area test, unless otherwise specified by rule.

9 (2) Educator License with Stipulations. An Educator
10 License with Stipulations shall be issued an endorsement
11 that limits the license holder to one particular position
12 or does not require completion of an approved educator
13 program or both.

14 An individual with an Educator License with
15 Stipulations must not be employed by a school district or
16 any other entity to replace any presently employed teacher
17 who otherwise would not be replaced for any reason.

18 An Educator License with Stipulations may be issued
19 with the following endorsements:

20 (A) (Blank).

21 (B) Alternative provisional educator. An
22 alternative provisional educator endorsement on an
23 Educator License with Stipulations may be issued to an
24 applicant who, at the time of applying for the
25 endorsement, has done all of the following:

26 (i) Graduated from a regionally accredited

1 college or university with a minimum of a
2 bachelor's degree.

3 (ii) Successfully completed the first phase of
4 the Alternative Educator Licensure Program for
5 Teachers, as described in Section 21B-50 of this
6 Code.

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

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

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

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

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

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

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

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

10 (D) (Blank).

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

19 The career and technical educator 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.

23 An individual who holds a valid career and
24 technical educator endorsement on an Educator License
25 with Stipulations but does not hold a bachelor's
26 degree may substitute teach in career and technical

1 education classrooms.

2 (F) (Blank).

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

10 (i) Possesses adequate speaking, reading, and
11 writing ability in the language other than English
12 in which transitional bilingual education is
13 offered.

14 (ii) Has the ability to successfully
15 communicate in English.

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

1 A transitional bilingual educator endorsement
2 shall be valid for prekindergarten through grade 12,
3 is valid until June 30 immediately following 5 years
4 of the endorsement being issued, and shall not be
5 renewed.

6 Persons holding a transitional bilingual educator
7 endorsement shall not be employed to replace any
8 presently employed teacher who otherwise would not be
9 replaced for any reason.

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

18 (i) Holds a transitional bilingual
19 endorsement.

20 (ii) Has demonstrated proficiency in the
21 language for which the endorsement is to be issued
22 by passing the applicable language content test
23 required by the State Board of Education.

24 (iii) Holds a bachelor's degree or higher from
25 a regionally accredited institution of higher
26 education or, for individuals educated in a

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

8 (iv) (Blank).

9 A language endorsement on an Educator License with
10 Stipulations is valid for prekindergarten through
11 grade 12 for the same validity period as the
12 individual's transitional bilingual educator
13 endorsement on the Educator License with Stipulations
14 and shall not be renewed.

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

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

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

1 (iii) Has adequate content knowledge in the
2 subject to be taught.

3 (iv) Has an adequate command of the English
4 language.

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

15 A visiting international educator endorsement on
16 an Educator License with Stipulations is valid for 5
17 years and shall not be renewed.

18 (J) Paraprofessional educator. A paraprofessional
19 educator endorsement on an Educator License with
20 Stipulations may be issued to an applicant who holds a
21 high school diploma or its recognized equivalent and
22 (i) holds an associate's degree or a minimum of 60
23 semester hours of credit from a regionally accredited
24 institution of higher education; (ii) has passed a
25 paraprofessional competency test under subsection
26 (c-5) of Section 21B-30; or (iii) is at least 18 years

1 of age and will be using the Educator License with
2 Stipulations exclusively for grades prekindergarten
3 through grade 8, until the individual reaches the age
4 of 19 years and otherwise meets the criteria for a
5 paraprofessional educator endorsement pursuant to this
6 subparagraph (J). The paraprofessional educator
7 endorsement is valid until June 30 immediately
8 following 5 years of the endorsement being issued and
9 may be renewed through application and payment of the
10 appropriate fee, as required under Section 21B-40 of
11 this Code. An individual who holds only a
12 paraprofessional educator endorsement is not subject
13 to additional requirements in order to renew the
14 endorsement.

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

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

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

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

25 (L) Provisional in-state educator. A provisional
26 in-state educator endorsement on an Educator License

1 with Stipulations may be issued to a candidate who has
2 completed an Illinois-approved educator preparation
3 program at an Illinois institution of higher education
4 and who has not successfully completed an
5 evidence-based assessment of teacher effectiveness but
6 who meets all of the following requirements:

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

8 (ii) Has completed an approved educator
9 preparation program at an Illinois institution.

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

12 (iv) Has attempted an evidence-based
13 assessment of teacher effectiveness and received a
14 minimum score on that assessment, as established
15 by the State Board of Education in consultation
16 with the State Educator Preparation and Licensure
17 Board.

18 A provisional in-state educator endorsement on an
19 Educator License with Stipulations is valid for one
20 full fiscal year after the date of issuance and may not
21 be renewed.

22 (M) (Blank).

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

26 (O) Provisional career and technical educator. A

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

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

18 An individual who holds a provisional career and
19 technical educator endorsement on an Educator License
20 with Stipulations may teach as a substitute teacher in
21 career and technical education classrooms.

22 (3) Substitute Teaching License. A Substitute Teaching
23 License may be issued to qualified applicants for
24 substitute teaching in all grades of the public schools,
25 prekindergarten through grade 12. Substitute Teaching
26 Licenses are not eligible for endorsements. Applicants for

1 a Substitute Teaching License must hold a bachelor's
2 degree or higher from a regionally accredited institution
3 of higher education or must be enrolled in an approved
4 educator preparation program in this State and have earned
5 at least 90 credit hours.

6 Substitute Teaching Licenses are valid for 5 years.

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

13 A substitute teacher may only teach in the place of a
14 licensed teacher who is under contract with the employing
15 board. If, however, there is no licensed teacher under
16 contract because of an emergency situation, then a
17 district may employ a substitute teacher for no longer
18 than 30 calendar days per each vacant position in the
19 district if the district notifies the appropriate regional
20 office of education within 5 business days after the
21 employment of the substitute teacher in that vacant
22 position. A district may continue to employ that same
23 substitute teacher in that same vacant position for 90
24 calendar days or until the end of the semester, whichever
25 is greater, if, prior to the expiration of the
26 30-calendar-day period then current, the district files a

1 written request with the appropriate regional office of
2 education for a 30-calendar-day extension on the basis
3 that the position remains vacant and the district
4 continues to actively seek qualified candidates and
5 provides documentation that it has provided training
6 specific to the position, including training on meeting
7 the needs of students with disabilities and English
8 learners if applicable. Each extension request shall be
9 granted in writing by the regional office of education. An
10 emergency situation is one in which an unforeseen vacancy
11 has occurred and (i) a teacher is unexpectedly unable to
12 fulfill his or her contractual duties or (ii) teacher
13 capacity needs of the district exceed previous indications
14 or vacancies are unfilled due to a lack of qualified
15 candidates, and the district is actively engaged in
16 advertising to hire a fully licensed teacher for the
17 vacant position.

18 There is no limit on the number of days that a
19 substitute teacher may teach in a single school district,
20 provided that no substitute teacher may teach for longer
21 than 120 days beginning with the 2021-2022 school year
22 through the 2022-2023 school year, otherwise 90 school
23 days for any one licensed teacher under contract in the
24 same school year. A substitute teacher who holds a
25 Professional Educator License or Educator License with
26 Stipulations shall not teach for more than 120 school days

1 for any one licensed teacher under contract in the same
2 school year. The limitations in this paragraph (3) on the
3 number of days a substitute teacher may be employed do not
4 apply to any school district operating under Article 34 of
5 this Code.

6 A school district may not require an individual who
7 holds a valid Professional Educator License or Educator
8 License with Stipulations to seek or hold a Substitute
9 Teaching License to teach as a substitute teacher.

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

22 Short-Term Substitute Teaching Licenses are valid for
23 substitute teaching in every county of this State. If an
24 individual has had his or her Professional Educator
25 License or Educator License with Stipulations suspended or
26 revoked, then that individual is not eligible to obtain a

1 Short-Term Substitute Teaching License.

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

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

19 (Source: P.A. 102-711, eff. 1-1-23; 102-712, eff. 4-27-22;
20 102-713, eff. 1-1-23; 102-717, eff. 4-29-22; 102-894, eff.
21 5-20-22; 103-111, eff. 6-29-23; 103-154, eff. 6-30-23;
22 103-193, eff. 1-1-24; revised 9-7-23.)

23 (105 ILCS 5/22-96)

24 (This Section may contain text from a Public Act with a
25 delayed effective date)

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

2 (a) When hiring or assigning physical education, music,
3 and visual arts educators, a school district must prioritize
4 the hiring or assigning of educators who hold an educator
5 license and endorsement in the ~~those~~ content area to be taught
6 areas.

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

26 (c) In the case of a reduction in force, a school district

1 may follow its employee contract language for filling
2 positions.

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

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

12 (105 ILCS 5/27-20.3) (from Ch. 122, par. 27-20.3)

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

14 (a) Every public elementary school and high school shall
15 include in its curriculum a unit of instruction studying the
16 events of the Nazi atrocities of 1933 to 1945. This period in
17 world history is known as the Holocaust, during which
18 6,000,000 Jews and millions of non-Jews were exterminated. One
19 of the universal lessons of the Holocaust is that national,
20 ethnic, racial, or religious hatred can overtake any nation or
21 society, leading to calamitous consequences. To reinforce that
22 lesson, such curriculum shall include an additional unit of
23 instruction studying other acts of genocide across the globe.
24 This unit shall include, but not be limited to, the Native
25 American genocide in North America, the Armenian Genocide, the

1 Famine-Genocide in Ukraine, and more recent atrocities in
2 Cambodia, Bosnia, Rwanda, and Sudan. The studying of this
3 material is a reaffirmation of the commitment of free peoples
4 from all nations to never again permit the occurrence of
5 another Holocaust and a recognition that crimes of genocide
6 continue to be perpetrated across the globe as they have been
7 in the past and to deter indifference to crimes against
8 humanity and human suffering wherever they may occur.

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

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

25 Instructional materials related to the Native American
26 genocide in North America shall be developed in consultation

1 with members of the Chicago American Indian Community
2 Collaborative who are members of a federally recognized tribe,
3 are documented descendants of Indigenous communities, or are
4 other persons recognized as contributing community members by
5 the Chicago American Indian Community Collaborative and who
6 currently reside in this State or their designees.

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

8 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

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

10 (a) History of the United States shall be taught in all
11 public schools and in all other educational institutions in
12 this State supported or maintained, in whole or in part, by
13 public funds.

14 The teaching of history shall have as one of its
15 objectives the imparting to pupils of a comprehensive idea of
16 our democratic form of government and the principles for which
17 our government stands as regards other nations, including the
18 studying of the place of our government in world-wide
19 movements and the leaders thereof, with particular stress upon
20 the basic principles and ideals of our representative form of
21 government.

22 The teaching of history shall include a study of the role
23 and contributions of African Americans and other ethnic
24 groups, including, but not restricted to, Native Americans,
25 Polish, Lithuanian, German, Hungarian, Irish, Bohemian,

1 Russian, Albanian, Italian, Czech, Slovak, French, Scots,
2 Hispanics, Asian Americans, etc., in the history of this
3 country and this State. To reinforce the study of the role and
4 contributions of Hispanics, such curriculum shall include the
5 study of the events related to the forceful removal and
6 illegal deportation of Mexican-American U.S. citizens during
7 the Great Depression.

8 The teaching of history shall also include teaching about
9 Native American nations' sovereignty and self-determination,
10 both historically and in the present day, with a focus on urban
11 Native Americans.

12 In public schools only, the teaching of history shall
13 include a study of the roles and contributions of lesbian,
14 gay, bisexual, and transgender people in the history of this
15 country and this State.

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

19 Beginning with the 2020-2021 school year, the teaching of
20 history must also include instruction on the history of
21 Illinois.

22 The teaching of history shall include the contributions
23 made to society by Americans of different faith practices,
24 including, but not limited to, Native Americans, Muslim
25 Americans, Jewish Americans, Christian Americans, Hindu
26 Americans, Sikh Americans, Buddhist Americans, and any other

1 collective community of faith that has shaped America.

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

7 ~~(c) The State Superintendent of Education may prepare and
8 make available to all school boards instructional materials
9 that may be used as guidelines for the development of
10 instruction under this Section; however, each school board
11 shall itself determine the minimum amount of instructional
12 time required for satisfying the requirements of this Section.~~

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

1 Board's Internet website.

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

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

11 Section 45. The Child Care Act of 1969 is amended by
12 changing Sections 2.06 and 2.17 and by adding Section 2.35 as
13 follows:

14 (225 ILCS 10/2.06) (from Ch. 23, par. 2212.06)

15 Sec. 2.06. "Child care institution" means a child care
16 facility where more than 7 children are received and
17 maintained for the purpose of providing them with care or
18 training or both. The term "child care institution" includes
19 residential schools, primarily serving ambulatory children
20 with disabilities, and those operating a full calendar year,
21 but does not include:

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

24 (b) any juvenile detention or shelter care home

1 established and operated by any county or child protection
2 district established under the "Child Protection Act";

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

7 (d) any bona fide boarding school in which children
8 are primarily taught branches of education corresponding
9 to those taught in public schools, grades one through 12,
10 or taught in public elementary schools, high schools, or
11 both elementary and high schools, and which operates on a
12 regular academic school year basis; ~~or~~

13 (e) any facility licensed as a "group home" as defined
14 in this Act; or ~~or~~

15 (f) any qualified residential treatment program.

16 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15;
17 99-180, eff. 7-29-15; 99-642, eff. 7-28-16.)

18 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

19 Sec. 2.17. "Foster family home" means the home of an
20 individual or family:

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

24 (2) in which a child in foster care has been placed in the
25 care of an individual who resides with the child and who has

1 been licensed or approved by the state to be a foster parent
2 and:

3 (A) who the Department of Children and Family Services
4 deems capable of adhering to the reasonable and prudent
5 parent standard;

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

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

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

24 The term "foster family home" includes homes receiving
25 children from any State-operated institution for child care;
26 or from any agency established by a municipality or other

1 political subdivision of the State of Illinois authorized to
2 provide care for children outside their own homes. The term
3 "foster family home" does not include an "adoption-only home"
4 as defined in Section 2.23 of this Act. The types of foster
5 family homes are defined as follows:

6 (a) "Boarding home" means a foster family home which
7 receives payment for regular full-time care of a child or
8 children.

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

12 (c) "Adoptive home" means a foster family home which
13 receives a child or children for the purpose of adopting
14 the child or children, but does not include an
15 adoption-only home.

16 (d) "Work-wage home" means a foster family home which
17 receives a child or children who pay part or all of their
18 board by rendering some services to the family not
19 prohibited by the Child Labor Law or by standards or
20 regulations of the Department prescribed under this Act.
21 The child or children may receive a wage in connection
22 with the services rendered the foster family.

23 (e) "Agency-supervised home" means a foster family
24 home under the direct and regular supervision of a
25 licensed child welfare agency, of the Department of
26 Children and Family Services, of a circuit court, or of

1 any other State agency which has authority to place
2 children in child care facilities, and which receives no
3 more than 8 children, unless of common parentage, who are
4 placed and are regularly supervised by one of the
5 specified agencies.

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

13 (g) "Host home" means an emergency foster family home
14 under the direction and regular supervision of a licensed
15 child welfare agency, contracted to provide short-term
16 crisis intervention services to youth served under the
17 Comprehensive Community-Based Youth Services program,
18 under the direction of the Department of Human Services.
19 The youth shall not be under the custody or guardianship
20 of the Department pursuant to the Juvenile Court Act of
21 1987.

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

23 (225 ILCS 10/2.35 new)

24 Sec. 2.35. Qualified residential treatment program.

25 "Qualified residential treatment program" means a program

1 that:

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

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

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

14 (B) are located on-site; and

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

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

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

24 (5) documents how family members are integrated into
25 the treatment process for the child, including
26 post-discharge, and how sibling connections are

1 maintained;

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

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

8 (A) the Commission on Accreditation of
9 Rehabilitation Facilities;

10 (B) the Joint Commission;

11 (C) the Council on Accreditation; or

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

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

18 (420 ILCS 56/16)

19 Sec. 16. Laser safety officers.

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

22 (b) The Agency shall adopt rules specifying minimum
23 training and experience requirements for laser safety
24 officers. The requirements shall be specific to the evaluation

1 and control of laser hazards for different types of laser
2 systems and the purpose for which a laser system is used.

3 (c) If a laser safety officer encounters noncompliance
4 with this Act or rules adopted under this Act in the course of
5 performing duties as a laser safety officer, then the laser
6 safety officer shall report that noncompliance to the Agency
7 as soon as practical to protect public health and safety.

8 (d) No person may act as a laser safety officer or
9 advertise or use any title implying qualification as a laser
10 safety officer unless the person meets the training and
11 experience requirements of this Act and the training and
12 experience requirements established by the Agency under
13 subsection (b).

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

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

17 (705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

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

21 (1) "Adjudicatory hearing" means a hearing to determine
22 whether the allegations of a petition under Section 2-13,
23 3-15, or 4-12 that a minor under 18 years of age is abused,
24 neglected, or dependent, or requires authoritative

1 intervention, or addicted, respectively, are supported by a
2 preponderance of the evidence or whether the allegations of a
3 petition under Section 5-520 that a minor is delinquent are
4 proved beyond a reasonable doubt.

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

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

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

14 (4.05) Whenever a "best interest" determination is
15 required, the following factors shall be considered in the
16 context of the child's age and developmental needs:

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

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

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

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

23 (i) where the child actually feels love,
24 attachment, and a sense of being valued (as opposed to
25 where adults believe the child should feel such love,
26 attachment, and a sense of being valued);

- 1 (ii) the child's sense of security;
- 2 (iii) the child's sense of familiarity;
- 3 (iv) continuity of affection for the child;
- 4 (v) the least disruptive placement alternative for
- 5 the child;
- 6 (e) the child's wishes and long-term goals;
- 7 (f) the child's community ties, including church,
- 8 school, and friends;
- 9 (g) the child's need for permanence which includes the
- 10 child's need for stability and continuity of relationships
- 11 with parent figures and with siblings and other relatives;
- 12 (h) the uniqueness of every family and child;
- 13 (i) the risks attendant to entering and being in
- 14 substitute care; and
- 15 (j) the preferences of the persons available to care
- 16 for the child.

17 (4.1) "Chronic truant" shall have the definition ascribed

18 to it in Section 26-2a of the School Code.

19 (5) "Court" means the circuit court in a session or

20 division assigned to hear proceedings under this Act.

21 (6) "Dispositional hearing" means a hearing to determine

22 whether a minor should be adjudged to be a ward of the court,

23 and to determine what order of disposition should be made in

24 respect to a minor adjudged to be a ward of the court.

25 (6.5) "Dissemination" or "disseminate" means to publish,

26 produce, print, manufacture, distribute, sell, lease, exhibit,

1 broadcast, display, transmit, or otherwise share information
2 in any format so as to make the information accessible to
3 others.

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

7 (7.03) "Expunge" means to physically destroy the records
8 and to obliterate the minor's name from any official index,
9 public record, or electronic database.

10 (7.05) "Foster parent" includes a relative caregiver
11 selected by the Department of Children and Family Services to
12 provide care for the minor.

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

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

26 (b) the authority and duty of reasonable visitation,

1 except to the extent that these have been limited in the
2 best interests of the minor by court order;

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

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

9 (8.1) "Juvenile court record" includes, but is not limited
10 to:

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

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

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

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

26 (8.2) "Juvenile law enforcement record" includes records

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

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

19 (9.1) "Mentally capable adult relative" means a person 21
20 years of age or older who is not suffering from a mental
21 illness that prevents the person from providing the care
22 necessary to safeguard the physical safety and welfare of a
23 minor who is left in that person's care by the parent or
24 parents or other person responsible for the minor's welfare.

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

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

25 (11.1) "Permanency goal" means a goal set by the court as
26 defined in subdivision (2) of Section 2-28.

1 (11.2) "Permanency hearing" means a hearing to set the
2 permanency goal and to review and determine (i) the
3 appropriateness of the services contained in the plan and
4 whether those services have been provided, (ii) whether
5 reasonable efforts have been made by all the parties to the
6 service plan to achieve the goal, and (iii) whether the plan
7 and goal have been achieved.

8 (12) "Petition" means the petition provided for in Section
9 2-13, 3-15, 4-12u, or 5-520, including any supplemental
10 petitions thereunder in Section 3-15, 4-12u or 5-520.

11 (12.1) "Physically capable adult relative" means a person
12 21 years of age or older who does not have a severe physical
13 disability or medical condition, or is not suffering from
14 alcoholism or drug addiction, that prevents the person from
15 providing the care necessary to safeguard the physical safety
16 and welfare of a minor who is left in that person's care by the
17 parent or parents or other person responsible for the minor's
18 welfare.

19 (12.2) "Post Permanency Sibling Contact Agreement" has the
20 meaning ascribed to the term in Section 7.4 of the Children and
21 Family Services Act.

22 (12.3) "Residential treatment center" means a licensed
23 setting that provides 24-hour care to children in a group home
24 or institution, including a facility licensed as a child care
25 institution under Section 2.06 of the Child Care Act of 1969, a
26 licensed group home under Section 2.16 of the Child Care Act of

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

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

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

19 (14.05) "Shelter placement" means a temporary or emergency
20 placement for a minor, including an emergency foster home
21 placement.

22 (14.1) "Sibling Contact Support Plan" has the meaning
23 ascribed to the term in Section 7.4 of the Children and Family
24 Services Act.

25 (14.2) "Significant event report" means a written document
26 describing an occurrence or event beyond the customary

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

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

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

23 (17) "Juvenile police officer" means a sworn police
24 officer who has completed a Basic Recruit Training Course, has
25 been assigned to the position of juvenile police officer by
26 the officer's chief law enforcement officer and has completed

1 the necessary juvenile officers training as prescribed by the
2 Illinois Law Enforcement Training Standards Board, or in the
3 case of a State police officer, juvenile officer training
4 approved by the Director of the Illinois State Police.

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

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

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

23 (740 ILCS 45/2)

24 Sec. 2. Definitions. As used in this Act, unless the

1 context otherwise requires:

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

15 The changes made to this subsection by Public Act 101-652
16 apply to actions commenced or pending on or after January 1,
17 2022.

18 (b) "Court of Claims" means the Court of Claims created by
19 the Court of Claims Act.

20 (c) "Crime of violence" means and includes any offense
21 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
22 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
23 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,
24 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4,
25 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13,
26 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1,

1 or Section 12-3.05 except for subdivision (a) (4) or (g) (1), or
2 subdivision (a) (4) of Section 11-14.4, of the Criminal Code of
3 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
4 the Cemetery Protection Act, Section 125 of the Stalking No
5 Contact Order Act, Section 219 of the Civil No Contact Order
6 Act, driving under the influence as defined in Section 11-501
7 of the Illinois Vehicle Code, a violation of Section 11-401 of
8 the Illinois Vehicle Code, provided the victim was a
9 pedestrian or was operating a vehicle moved solely by human
10 power or a mobility device at the time of contact, and a
11 violation of Section 11-204.1 of the Illinois Vehicle Code; so
12 long as the offense did not occur during a civil riot,
13 insurrection or rebellion. "Crime of violence" does not
14 include any other offense or crash involving a motor vehicle
15 except those vehicle offenses specifically provided for in
16 this paragraph. "Crime of violence" does include all of the
17 offenses specifically provided for in this paragraph that
18 occur within this State but are subject to federal
19 jurisdiction and crimes involving terrorism as defined in 18
20 U.S.C. 2331.

21 (d) "Victim" means (1) a person killed or injured in this
22 State as a result of a crime of violence perpetrated or
23 attempted against him or her, (2) the spouse, parent, or child
24 of a person killed or injured in this State as a result of a
25 crime of violence perpetrated or attempted against the person,
26 or anyone living in the household of a person killed or injured

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

1 Illinois resident is eligible, (7) the parent, spouse, or
2 child of a deceased person whose body is dismembered or whose
3 remains are desecrated as the result of a crime of violence, or
4 (8) (blank) ~~solely for the purpose of compensating for~~
5 ~~pecuniary loss incurred for psychological treatment of a~~
6 ~~mental or emotional condition caused or aggravated by the~~
7 ~~crime, any parent, spouse, or child under the age of 18 of a~~
8 ~~deceased person whose body is dismembered or whose remains are~~
9 ~~desecrated as the result of a crime of violence.~~

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

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

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

23 (h) "Pecuniary loss" means: 7

24 (1) in the case of injury, appropriate medical
25 expenses and hospital expenses including expenses of
26 medical examinations, rehabilitation, medically required

1 nursing care expenses, appropriate psychiatric care or
2 psychiatric counseling expenses, appropriate expenses for
3 care or counseling by a licensed clinical psychologist,
4 licensed clinical social worker, licensed professional
5 counselor, or licensed clinical professional counselor and
6 expenses for treatment by Christian Science practitioners
7 and nursing care appropriate thereto;

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

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

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

15 (5) costs associated with trafficking tattoo removal
16 by a person authorized or licensed to perform the specific
17 removal procedure;

18 (6) replacement costs for clothing and bedding used as
19 evidence;

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

26 (8) locks or windows necessary or damaged as a result

1 of the crime;

2 (9) the purchase, lease, or rental of equipment
3 necessary to create usability of and accessibility to the
4 victim's real and personal property, or the real and
5 personal property which is used by the victim, necessary
6 as a result of the crime; "real and personal property"
7 includes, but is not limited to, vehicles, houses,
8 apartments, townhouses, or condominiums;

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

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

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

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

25 (14) loss of earnings, loss of future earnings because
26 of disability resulting from the injury. Loss of future

1 earnings shall be reduced by any income from substitute
2 work actually performed by the victim or by income the
3 victim would have earned in available appropriate
4 substitute work the victim was capable of performing but
5 unreasonably failed to undertake; loss of earnings and
6 loss of future earnings shall be determined on the basis
7 of the victim's average net monthly earnings for the 6
8 months immediately preceding the date of the injury or on
9 \$2,400 per month, whichever is less, or, in cases where
10 the absences commenced more than 3 years from the date of
11 the crime, on the basis of the net monthly earnings for the
12 6 months immediately preceding the date of the first
13 absence, not to exceed \$2,400 per month;

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

1 deceased victim's injury or death, or, if the subject of
2 pending litigation filed by or on behalf of the divorced
3 or legally separated applicant prior to the injury or
4 death, on the result of that litigation. Loss of support
5 for minors shall be divided in proportion to the amount of
6 the actual loss among those entitled to such compensation;

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

18 (17) in the case of dismemberment or desecration of a
19 body, expenses for reasonable funeral and burial, all of
20 which may be awarded up to a maximum of \$10,000 for each
21 victim. Other individuals that have paid or become
22 obligated to pay funeral or burial expenses for the
23 deceased shall share a maximum award of \$10,000, with the
24 award divided in proportion to the amount of the actual
25 loss among those entitled to compensation. ~~Loss of future~~
26 ~~earnings shall be reduced by any income from substitute~~

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

23 "Pecuniary loss" does not include pain and suffering or
24 property loss or damage.

25 The changes made to this subsection by Public Act 101-652
26 apply to actions commenced or pending on or after January 1,

1 2022.

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

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

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

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

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

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

22 (740 ILCS 45/10.1) (from Ch. 70, par. 80.1)

23 Sec. 10.1. Award Amount of compensation. The awarding of
24 compensation and the amount of compensation to which an
25 applicant and other persons are entitled shall be based on the

1 following factors:

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

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

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

20 (d) An award shall be reduced or denied according to
21 the extent to which the victim's injury or death was
22 caused by provocation or incitement by the victim or the
23 victim assisting, attempting, or committing a criminal
24 act. A denial or reduction shall not automatically bar the
25 survivors of homicide victims from receiving compensation
26 for counseling, crime scene cleanup, relocation, funeral

1 or burial costs, and loss of support if the survivor's
2 actions have not initiated, provoked, or aggravated the
3 suspect into initiating the qualifying crime.

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

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

1 (g) Compensation under this Act is a secondary source
2 of compensation and the applicant must show that he or she
3 has exhausted the benefits reasonably available under the
4 Criminal Victims' Escrow Account Act or any governmental
5 or medical or health insurance programs, including, but
6 not limited to, Workers' Compensation, the Federal
7 Medicare program, the State Public Aid program, Social
8 Security Administration burial benefits, and Veterans
9 Administration burial benefits, and life, health,
10 accident, full vehicle coverage (including towing
11 insurance, if available), or liability insurance.

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

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

15 (820 ILCS 175/42)

16 Sec. 42. Equal pay for equal work. A day or temporary
17 laborer who is assigned to work at a third party client for
18 more than 90 calendar days shall be paid not less than the rate
19 of pay and equivalent benefits as the lowest paid directly
20 hired employee of the third party client with the same level of
21 seniority at the company and performing the same or
22 substantially similar work on jobs the performance of which
23 requires substantially similar skill, effort, and
24 responsibility, and that are performed under similar working

1 conditions. If there is not a directly hired comparative
2 employee of the third party client, the day or temporary
3 laborer shall be paid not less than the rate of pay and
4 equivalent benefits of the lowest paid direct hired employee
5 of the company with the closest level of seniority at the
6 company. A day and temporary labor service agency may pay the
7 hourly cash equivalent of the actual cost benefits in lieu of
8 benefits required under this Section. Upon request, a third
9 party client to which a day or temporary laborer has been
10 assigned for more than 90 calendar days shall be obligated to
11 timely provide the day and temporary labor service agency with
12 all necessary information related to job duties, pay, and
13 benefits of directly hired employees necessary for the day and
14 temporary labor service agency to comply with this Section.
15 The failure by a third party client to provide any of the
16 information required under this Section shall constitute a
17 notice violation by the third party client under Section 95.
18 For purposes of this Section, the day and temporary labor
19 service agency shall be considered a person aggrieved as
20 described in Section 95. For the purposes of this Section, the
21 calculation of the 90 calendar days may not begin until April
22 1, 2024.

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

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".