



Rep. Robert "Bob" Rita

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10300SB0089ham002

LRB103 05113 JDS 62251 a

1 AMENDMENT TO SENATE BILL 89

2 AMENDMENT NO. _____. Amend Senate Bill 89, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 3. The Energy Efficient Building Act is amended
6 by changing Section 55 as follows:

7 (20 ILCS 3125/55)

8 Sec. 55. Illinois Stretch Energy Code.

9 (a) The Board, in consultation with the Agency Department,
10 shall create and adopt the Illinois Stretch Energy Code, to
11 allow municipalities and projects authorized or funded by the
12 Board to achieve more energy efficiency in buildings than the
13 Illinois Energy Conservation Code through a consistent pathway
14 across the State. The Illinois Stretch Energy Code shall be
15 available for adoption by any municipality and shall set
16 minimum energy efficiency requirements, taking the place of

1 the Illinois Energy Conservation Code within any municipality
2 that adopts the Illinois Stretch Energy Code.

3 (b) The Illinois Stretch Energy Code shall have separate
4 components for commercial and residential buildings, which may
5 be adopted by the municipality jointly or separately.

6 (c) The Illinois Stretch Energy Code shall apply to all
7 projects to which an energy conservation code is applicable
8 that are authorized or funded in any part by the Board after
9 July 1, 2024 ~~January 1, 2024~~.

10 (d) Development of the Illinois Stretch Energy Code shall
11 be completed and available for adoption by municipalities by
12 June 30, 2024 ~~December 31, 2023~~.

13 (e) Consistent with the requirements under paragraph (2.5)
14 of subsection (g) of Section 8-103B of the Public Utilities
15 Act and under paragraph (2) of subsection (j) of Section 8-104
16 of the Public Utilities Act, municipalities may adopt the
17 Illinois Stretch Energy Code and may use utility programs to
18 support compliance with the Illinois Stretch Energy Code. The
19 amount of savings from such utility efforts that may be
20 counted toward achievement of their annual savings goals shall
21 be based on reasonable estimates of the increase in savings
22 resulting from the utility efforts, relative to reasonable
23 approximations of what would have occurred absent the utility
24 involvement.

25 (f) The Illinois Stretch Energy Code's residential
26 components shall:

1 (1) apply to residential buildings as defined under
2 Section 10;

3 (2) set performance targets using a site energy index
4 with reductions relative to the 2006 International Energy
5 Conservation Code; and

6 (3) include stretch energy codes with site energy
7 index standards and adoption dates as follows: by no later
8 than June 30, 2024 ~~December 31, 2023~~, the Board shall
9 create and adopt a stretch energy code with a site energy
10 index no greater than 0.50 of the 2006 International
11 Energy Conservation Code; by no later than December 31,
12 2025, the Board shall create and adopt a stretch energy
13 code with a site energy index no greater than 0.40 of the
14 2006 International Energy Conservation Code, unless the
15 Board identifies unanticipated burdens associated with the
16 stretch energy code adopted in 2023 or 2024, in which case
17 the Board may adopt a stretch energy code with a site
18 energy index no greater than 0.42 of the 2006
19 International Energy Conservation Code, provided that the
20 more relaxed standard has a site energy index that is at
21 least 0.05 more restrictive than the 2024 International
22 Energy Conservation Code; by no later than December 31,
23 2028, the Board shall create and adopt a stretch energy
24 code with a site energy index no greater than 0.33 of the
25 2006 International Energy Conservation Code, unless the
26 Board identifies unanticipated burdens associated with the

1 stretch energy code adopted in 2025, in which case the
2 Board may adopt a stretch energy code with a site energy
3 index no greater than 0.35 of the 2006 International
4 Energy Conservation Code, but only if that more relaxed
5 standard has a site energy index that is at least 0.05 more
6 restrictive than the 2027 International Energy
7 Conservation Code; and by no later than December 31, 2031,
8 the Board shall create and adopt a stretch energy code
9 with a site energy index no greater than 0.25 of the 2006
10 International Energy Conservation Code.

11 (g) The Illinois Stretch Energy Code's commercial
12 components shall:

13 (1) apply to commercial buildings as defined under
14 Section 10;

15 (2) set performance targets using a site energy index
16 with reductions relative to the 2006 International Energy
17 Conservation Code; and

18 (3) include stretch energy codes with site energy
19 index standards and adoption dates as follows: by no later
20 than June 30, 2024 ~~December 31, 2023~~, the Board shall
21 create and adopt a stretch energy code with a site energy
22 index no greater than 0.60 of the 2006 International
23 Energy Conservation Code; by no later than December 31,
24 2025, the Board shall create and adopt a stretch energy
25 code with a site energy index no greater than 0.50 of the
26 2006 International Energy Conservation Code; by no later

1 than December 31, 2028, the Board shall create and adopt a
2 stretch energy code with a site energy index no greater
3 than 0.44 of the 2006 International Energy Conservation
4 Code; and by no later than December 31, 2031, the Board
5 shall create and adopt a stretch energy code with a site
6 energy index no greater than 0.39 of the 2006
7 International Energy Conservation Code.

8 (h) The process for the creation of the Illinois Stretch
9 Energy Code includes:

10 (1) within 60 days after the effective date of this
11 amendatory Act of the 102nd General Assembly, the Capital
12 Development Board shall meet with the Illinois Energy Code
13 Advisory Council to advise and provide technical
14 assistance and recommendations to the Capital Development
15 Board for the Illinois Stretch Energy Code, which shall:

16 (A) advise the Capital Development Board on
17 creation of interim performance targets, code
18 requirements, and an implementation plan for the
19 Illinois Stretch Energy Code;

20 (B) recommend amendments to proposed rules issued
21 by the Capital Development Board;

22 (C) recommend complementary programs or policies;

23 (D) complete recommendations and development for
24 the Illinois Stretch Energy Code elements and
25 requirements by December 31, 2023 ~~July 31, 2023~~;

26 (2) As part of its deliberations, the Illinois Energy

1 Code Advisory Council shall actively solicit input from
2 other energy code stakeholders and interested parties.

3 (Source: P.A. 102-662, eff. 9-15-21.)

4 Section 5. The Public Building Commission Act is amended
5 by changing Sections 2.5, 20.3, 20.4, 20.5, 20.10, 20.15,
6 20.20, and 20.25 as follows:

7 (50 ILCS 20/2.5)

8 (Section scheduled to be repealed on June 1, 2023)

9 Sec. 2.5. Legislative policy; conditions for use of
10 design-build. It is the intent of the General Assembly that a
11 commission be allowed to use the design-build delivery method
12 for public projects if it is shown to be in the commission's
13 best interest for that particular project.

14 It shall be the policy of the commission in the
15 procurement of design-build services to publicly announce all
16 requirements for design-build services and to procure these
17 services on the basis of demonstrated competence and
18 qualifications and with due regard for the principles of
19 competitive selection.

20 The commission shall, prior to issuing requests for
21 proposals, promulgate and publish procedures for the
22 solicitation and award of contracts pursuant to this Act.

23 The commission shall, for each public project or projects
24 permitted under this Act, make a written determination,

1 including a description as to the particular advantages of the
2 design-build procurement method, that it is in the best
3 interests of the commission to enter into a design-build
4 contract for the project or projects.

5 In making that determination, the following factors shall
6 be considered:

7 (1) The probability that the design-build procurement
8 method will be in the best interests of the commission by
9 providing a material savings of time or cost over the
10 design-bid-build or other delivery system.

11 (2) The type and size of the project and its
12 suitability to the design-build procurement method.

13 (3) The ability of the design-build entity to define
14 and provide comprehensive scope and performance criteria
15 for the project.

16 The commission shall require the design-build entity to
17 comply with the utilization goals established by the corporate
18 authorities of the commission for minority and women business
19 enterprises and to comply with Section 2-105 of the Illinois
20 Human Rights Act.

21 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
22 provided that any design-build contracts entered into before
23 such date or any procurement of a project under this Act
24 commenced before such date, and the contracts resulting from
25 those procurements, shall remain effective.

26 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,

1 eff. 8-23-19.)

2 (50 ILCS 20/20.3)

3 (Section scheduled to be repealed on June 1, 2023)

4 Sec. 20.3. Solicitation of design-build proposals.

5 (a) When the Commission elects to use the design-build
6 delivery method, it must issue a notice of intent to receive
7 proposals for the project at least 14 days before issuing the
8 request for the proposal. The Commission must publish the
9 advance notice in a daily newspaper of general circulation in
10 the county where the Commission is located. The Commission is
11 encouraged to use publication of the notice in related
12 construction industry service publications. A brief
13 description of the proposed procurement must be included in
14 the notice. The Commission must provide a copy of the request
15 for proposal to any party requesting a copy.

16 (b) The request for proposal shall be prepared for each
17 project and must contain, without limitation, the following
18 information:

19 (1) The name of the Commission.

20 (2) A preliminary schedule for the completion of the
21 contract.

22 (3) The proposed budget for the project, the source of
23 funds, and the currently available funds at the time the
24 request for proposal is submitted.

25 (4) Prequalification criteria for design-build

1 entities wishing to submit proposals. The Commission shall
2 include, at a minimum, its normal prequalification,
3 licensing, registration, and other requirements, but
4 nothing contained herein precludes the use of additional
5 prequalification criteria by the Commission.

6 (5) Material requirements of the contract, including
7 but not limited to, the proposed terms and conditions,
8 required performance and payment bonds, insurance, and the
9 entity's plan to comply with the utilization goals
10 established by the corporate authorities of the Commission
11 for minority and women business enterprises and to comply
12 with Section 2-105 of the Illinois Human Rights Act.

13 (6) The performance criteria.

14 (7) The evaluation criteria for each phase of the
15 solicitation.

16 (8) The number of entities that will be considered for
17 the technical and cost evaluation phase.

18 (c) The Commission may include any other relevant
19 information that it chooses to supply. The design-build entity
20 shall be entitled to rely upon the accuracy of this
21 documentation in the development of its proposal.

22 (d) The date that proposals are due must be at least 21
23 calendar days after the date of the issuance of the request for
24 proposal. In the event the cost of the project is estimated to
25 exceed \$12,000,000, then the proposal due date must be at
26 least 28 calendar days after the date of the issuance of the

1 request for proposal. The Commission shall include in the
2 request for proposal a minimum of 30 days to develop the Phase
3 II submissions after the selection of entities from the Phase
4 I evaluation is completed.

5 (e) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
6 provided that any design-build contracts entered into before
7 such date or any procurement of a project under this Act
8 commenced before such date, and the contracts resulting from
9 those procurements, shall remain effective.

10 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
11 eff. 8-23-19.)

12 (50 ILCS 20/20.4)

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

14 Sec. 20.4. Development of design-build scope and
15 performance criteria.

16 (a) The Commission shall develop, with the assistance of a
17 licensed design professional, a request for proposal, which
18 shall include scope and performance criteria. The scope and
19 performance criteria must be in sufficient detail and contain
20 adequate information to reasonably apprise the qualified
21 design-build entities of the Commission's overall programmatic
22 needs and goals, including criteria and preliminary design
23 plans, general budget parameters, schedule, and delivery
24 requirements.

25 (b) Each request for proposal shall also include a

1 description of the level of design to be provided in the
2 proposals. This description must include the scope and type of
3 renderings, drawings, and specifications that, at a minimum,
4 will be required by the Commission to be produced by the
5 design-build entities.

6 (c) The scope and performance criteria shall be prepared
7 by a design professional who is an employee of the Commission,
8 or the Commission may contract with an independent design
9 professional selected under the Local Government Professional
10 Services Selection Act (50 ILCS 510/) to provide these
11 services.

12 (d) The design professional that prepares the scope and
13 performance criteria is prohibited from participating in any
14 design-build entity proposal for the project.

15 (e) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
16 provided that any design-build contracts entered into before
17 such date or any procurement of a project under this Act
18 commenced before such date, and the contracts resulting from
19 those procurements, shall remain effective.

20 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
21 eff. 8-23-19.)

22 (50 ILCS 20/20.5)

23 (Section scheduled to be repealed on June 1, 2023)

24 Sec. 20.5. Procedures for design-build selection.

25 (a) The Commission must use a two-phase procedure for the

1 selection of the successful design-build entity. Phase I of
2 the procedure will evaluate and shortlist the design-build
3 entities based on qualifications, and Phase II will evaluate
4 the technical and cost proposals.

5 (b) The Commission shall include in the request for
6 proposal the evaluating factors to be used in Phase I. These
7 factors are in addition to any prequalification requirements
8 of design-build entities that the Commission has set forth.
9 Each request for proposal shall establish the relative
10 importance assigned to each evaluation factor and subfactor,
11 including any weighting of criteria to be employed by the
12 Commission. The Commission must maintain a record of the
13 evaluation scoring to be disclosed in event of a protest
14 regarding the solicitation.

15 The Commission shall include the following criteria in
16 every Phase I evaluation of design-build entities: (1)
17 experience of personnel; (2) successful experience with
18 similar project types; (3) financial capability; (4)
19 timeliness of past performance; (5) experience with similarly
20 sized projects; (6) successful reference checks of the firm;
21 (7) commitment to assign personnel for the duration of the
22 project and qualifications of the entity's consultants; and
23 (8) ability or past performance in meeting or exhausting good
24 faith efforts to meet the utilization goals for minority and
25 women business enterprises established by the corporate
26 authorities of the Commission and in complying with Section

1 2-105 of the Illinois Human Rights Act. The Commission may
2 include any additional relevant criteria in Phase I that it
3 deems necessary for a proper qualification review.

4 The Commission may not consider any design-build entity
5 for evaluation or award if the entity has any pecuniary
6 interest in the project or has other relationships or
7 circumstances, including but not limited to, long-term
8 leasehold, mutual performance, or development contracts with
9 the Commission, that may give the design-build entity a
10 financial or tangible advantage over other design-build
11 entities in the preparation, evaluation, or performance of the
12 design-build contract or that create the appearance of
13 impropriety. No design-build proposal shall be considered that
14 does not include an entity's plan to comply with the
15 requirements established in the minority and women business
16 enterprises and economically disadvantaged firms established
17 by the corporate authorities of the Commission and with
18 Section 2-105 of the Illinois Human Rights Act.

19 Upon completion of the qualifications evaluation, the
20 Commission shall create a shortlist of the most highly
21 qualified design-build entities. The Commission, in its
22 discretion, is not required to shortlist the maximum number of
23 entities as identified for Phase II evaluation, provided
24 however, no less than 2 design-build entities nor more than 6
25 are selected to submit Phase II proposals.

26 The Commission shall notify the entities selected for the

1 shortlist in writing. This notification shall commence the
2 period for the preparation of the Phase II technical and cost
3 evaluations. The Commission must allow sufficient time for the
4 shortlist entities to prepare their Phase II submittals
5 considering the scope and detail requested by the Commission.

6 (c) The Commission shall include in the request for
7 proposal the evaluating factors to be used in the technical
8 and cost submission components of Phase II. Each request for
9 proposal shall establish, for both the technical and cost
10 submission components of Phase II, the relative importance
11 assigned to each evaluation factor and subfactor, including
12 any weighting of criteria to be employed by the Commission.
13 The Commission must maintain a record of the evaluation
14 scoring to be disclosed in event of a protest regarding the
15 solicitation.

16 The Commission shall include the following criteria in
17 every Phase II technical evaluation of design-build entities:
18 (1) compliance with objectives of the project; (2) compliance
19 of proposed services to the request for proposal requirements;
20 (3) quality of products or materials proposed; (4) quality of
21 design parameters; (5) design concepts; (6) innovation in
22 meeting the scope and performance criteria; and (7)
23 constructability of the proposed project. The Commission may
24 include any additional relevant technical evaluation factors
25 it deems necessary for proper selection.

26 The Commission shall include the following criteria in

1 every Phase II cost evaluation: the guaranteed maximum project
2 cost and the time of completion. The Commission may include
3 any additional relevant technical evaluation factors it deems
4 necessary for proper selection. The guaranteed maximum project
5 cost criteria weighing factor shall not exceed 30%.

6 The Commission shall directly employ or retain a licensed
7 design professional to evaluate the technical and cost
8 submissions to determine if the technical submissions are in
9 accordance with generally accepted industry standards.

10 Upon completion of the technical submissions and cost
11 submissions evaluation, the Commission may award the
12 design-build contract to the highest overall ranked entity.

13 (d) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
14 provided that any design-build contracts entered into before
15 such date or any procurement of a project under this Act
16 commenced before such date, and the contracts resulting from
17 those procurements, shall remain effective.

18 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
19 eff. 8-23-19.)

20 (50 ILCS 20/20.10)

21 (Section scheduled to be repealed on June 1, 2023)

22 Sec. 20.10. Small design-build projects. In any case
23 where the total overall cost of the project is estimated to be
24 less than \$12,000,000, the Commission may combine the
25 two-phase procedure for design-build selection described in

1 Section 20.5 into one combined step, provided that all the
2 requirements of evaluation are performed in accordance with
3 Section 20.5.

4 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
5 provided that any design-build contracts entered into before
6 such date or any procurement of a project under this Act
7 commenced before such date, and the contracts resulting from
8 those procurements, shall remain effective.

9 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
10 eff. 8-23-19.)

11 (50 ILCS 20/20.15)

12 (Section scheduled to be repealed on June 1, 2023)

13 Sec. 20.15. Submission of design-build proposals.
14 Design-build proposals must be properly identified and sealed.
15 Proposals may not be reviewed until after the deadline for
16 submission has passed as set forth in the request for
17 proposals. All design-build entities submitting proposals
18 shall be disclosed after the deadline for submission, and all
19 design-build entities who are selected for Phase II evaluation
20 shall also be disclosed at the time of that determination.

21 Phase II design-build proposals shall include a bid bond
22 in the form and security as designated in the request for
23 proposals. Proposals shall also contain a separate sealed
24 envelope with the cost information within the overall proposal
25 submission. Proposals shall include a list of all design

1 professionals and other entities to which any work identified
2 in Section 30-30 of the Illinois Procurement Code as a
3 subdivision of construction work may be subcontracted during
4 the performance of the contract.

5 Proposals must meet all material requirements of the
6 request for proposal or they may be rejected as
7 non-responsive. The Commission shall have the right to reject
8 any and all proposals.

9 The drawings and specifications of any unsuccessful
10 design-build proposal shall remain the property of the
11 design-build entity.

12 The Commission shall review the proposals for compliance
13 with the performance criteria and evaluation factors.

14 Proposals may be withdrawn prior to the due date and time
15 for submissions for any cause. After evaluation begins by the
16 Commission, clear and convincing evidence of error is required
17 for withdrawal.

18 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
19 provided that any design-build contracts entered into before
20 such date or any procurement of a project under this Act
21 commenced before such date, and the contracts resulting from
22 those procurements, shall remain effective.

23 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
24 eff. 8-23-19.)

1 (Section scheduled to be repealed on June 1, 2023)

2 Sec. 20.20. Design-build award. The Commission may award a
3 design-build contract to the highest overall ranked entity.
4 Notice of award shall be made in writing. Unsuccessful
5 entities shall also be notified in writing. The Commission may
6 not request a best and final offer after the receipt of
7 proposals. The Commission may negotiate with the selected
8 design-build entity after award but prior to contract
9 execution for the purpose of securing better terms than
10 originally proposed, provided that the salient features of the
11 request for proposal are not diminished.

12 This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
13 provided that any design-build contracts entered into before
14 such date or any procurement of a project under this Act
15 commenced before such date, and the contracts resulting from
16 those procurements, shall remain effective.

17 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
18 eff. 8-23-19.)

19 (50 ILCS 20/20.25)

20 (Section scheduled to be repealed on June 1, 2023)

21 Sec. 20.25. Minority and female owned enterprises; total
22 construction budget.

23 (a) Each year, within 60 days following the end of a
24 commission's fiscal year, the commission shall provide a
25 report to the General Assembly addressing the utilization of

1 minority and female owned business enterprises on design-build
2 projects.

3 (b) The payments for design-build projects by any
4 commission in one fiscal year shall not exceed 50% of the
5 moneys spent on construction projects during the same fiscal
6 year.

7 (c) This Section is repealed on July 1, 2025 ~~June 1, 2023~~;
8 provided that any design-build contracts entered into before
9 such date or any procurement of a project under this Act
10 commenced before such date, and the contracts resulting from
11 those procurements, shall remain effective.

12 (Source: P.A. 100-736, eff. 1-1-19; reenacted by P.A. 101-479,
13 eff. 8-23-19.)

14 Section 7. The University of Illinois Act is amended by
15 changing Section 115 as follows:

16 (110 ILCS 305/115)

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

18 Sec. 115. Water rates report.

19 (a) Subject to appropriation, no later than June 30, 2023
20 ~~December 1, 2022~~, the Government Finance Research Center at
21 the University of Illinois at Chicago, in coordination with an
22 intergovernmental advisory committee, must issue a report
23 evaluating the setting of water rates throughout the Lake
24 Michigan service area of northeastern Illinois and, no later

1 than December 31 ~~4~~, 2024 ~~2023~~, for the remainder of Illinois.
2 The report must provide recommendations for policy and
3 regulatory needs at the State and local level based on its
4 findings. The report shall, at a minimum, address all of the
5 following areas:

6 (1) The components of a water bill.

7 (2) Reasons for increases in water rates.

8 (3) The definition of affordability throughout the
9 State and any variances to that definition.

10 (4) Evidence of rate-setting that utilizes
11 inappropriate practices.

12 (5) The extent to which State or local policies drive
13 cost increases or variations in rate-settings.

14 (6) Challenges within economically disadvantaged
15 communities in setting water rates.

16 (7) Opportunities for increased intergovernmental
17 coordination for setting equitable water rates.

18 (b) In developing the report under this Section, the
19 Government Finance Research Center shall form an advisory
20 committee, which shall be composed of all of the following
21 members:

22 (1) The Director of the Environmental Protection
23 Agency, or his or her designee.

24 (2) The Director of Natural Resources, or his or her
25 designee.

26 (3) The Director of Commerce and Economic Opportunity,

1 or his or her designee.

2 (4) The Attorney General, or his or her designee.

3 (5) At least 2 members who are representatives of
4 private water utilities operating in Illinois, appointed
5 by the Director of the Government Finance Research Center.

6 (6) At least 4 members who are representatives of
7 municipal water utilities, appointed by the Director of
8 the Government Finance Research Center.

9 (7) One member who is a representative of an
10 environmental justice advocacy organization, appointed by
11 the Director of the Government Finance Research Center.

12 (8) One member who is a representative of a consumer
13 advocacy organization, appointed by the Director of the
14 Government Finance Research Center.

15 (9) One member who is a representative of an
16 environmental planning organization that serves
17 northeastern Illinois, appointed by the Director of the
18 Government Finance Research Center.

19 (10) The Director of the Illinois State Water Survey,
20 or his or her designee.

21 (11) The Chairperson of the Illinois Commerce
22 Commission, or his or her designee.

23 (c) After all members are appointed, the committee shall
24 hold its first meeting at the call of the Director of the
25 Government Finance Research Center, at which meeting the
26 members shall select a chairperson from among themselves.

1 After its first meeting, the committee shall meet at the call
2 of the chairperson. Members of the committee shall serve
3 without compensation but may be reimbursed for their
4 reasonable and necessary expenses incurred in performing their
5 duties. The Government Finance Research Center shall provide
6 administrative and other support to the committee.

7 (d) (Blank.) ~~No later than 60 days after August 23, 2019~~
8 ~~(the effective date of Public Act 101-562), the Government~~
9 ~~Finance Research Center must provide an opportunity for public~~
10 ~~comment on the questions to be addressed in the report, the~~
11 ~~metrics to be used, and the recommendations that need to be~~
12 ~~issued.~~

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

14 (Source: P.A. 101-562, eff. 8-23-19; 102-507, eff. 8-20-21;
15 102-558, eff. 8-20-21.)

16 Section 9. The Sports Wagering Act is amended by changing
17 Section 25-25 as follows:

18 (230 ILCS 45/25-25)

19 Sec. 25-25. Sports wagering authorized.

20 (a) Notwithstanding any provision of law to the contrary,
21 the operation of sports wagering is only lawful when conducted
22 in accordance with the provisions of this Act and the rules of
23 the Illinois Gaming Board and the Department of the Lottery.

24 (b) A person placing a wager under this Act shall be at

1 least 21 years of age.

2 (c) A licensee under this Act may not accept a wager on a
3 minor league sports event.

4 (d) Except as otherwise provided in this Section, a
5 licensee under this Act may not accept a wager for a sports
6 event involving an Illinois collegiate team.

7 (d-5) Beginning on the effective date of this amendatory
8 Act of the 102nd General Assembly until July 1, 2024 ~~July 1,~~
9 ~~2023~~, a licensee under this Act may accept a wager for a sports
10 event involving an Illinois collegiate team if:

11 (1) the wager is a tier 1 wager;

12 (2) the wager is not related to an individual
13 athlete's performance; and

14 (3) the wager is made in person instead of over the
15 Internet or through a mobile application.

16 (e) A licensee under this Act may only accept a wager from
17 a person physically located in the State.

18 (f) Master sports wagering licensees may use any data
19 source for determining the results of all tier 1 sports
20 wagers.

21 (g) A sports governing body headquartered in the United
22 States may notify the Board that it desires to supply official
23 league data to master sports wagering licensees for
24 determining the results of tier 2 sports wagers. Such
25 notification shall be made in the form and manner as the Board
26 may require. If a sports governing body does not notify the

1 Board of its desire to supply official league data, a master
2 sports wagering licensee may use any data source for
3 determining the results of any and all tier 2 sports wagers on
4 sports contests for that sports governing body.

5 Within 30 days of a sports governing body notifying the
6 Board, master sports wagering licensees shall use only
7 official league data to determine the results of tier 2 sports
8 wagers on sports events sanctioned by that sports governing
9 body, unless: (1) the sports governing body or designee cannot
10 provide a feed of official league data to determine the
11 results of a particular type of tier 2 sports wager, in which
12 case master sports wagering licensees may use any data source
13 for determining the results of the applicable tier 2 sports
14 wager until such time as such data feed becomes available on
15 commercially reasonable terms; or (2) a master sports wagering
16 licensee can demonstrate to the Board that the sports
17 governing body or its designee cannot provide a feed of
18 official league data to the master sports wagering licensee on
19 commercially reasonable terms. During the pendency of the
20 Board's determination, such master sports wagering licensee
21 may use any data source for determining the results of any and
22 all tier 2 sports wagers.

23 (h) A licensee under this Act may not accept wagers on a
24 kindergarten through 12th grade sports event.

25 (Source: P.A. 101-31, eff. 6-28-19; 102-689, eff. 12-17-21.)

1 Section 11. The Liquor Control Act of 1934 is amended by
2 changing Section 6-28.8 as follows:

3 (235 ILCS 5/6-28.8)

4 (Section scheduled to be repealed on January 3, 2024)

5 Sec. 6-28.8. Delivery and carry out of mixed drinks
6 permitted.

7 (a) In this Section:

8 "Cocktail" or "mixed drink" means any beverage obtained by
9 combining ingredients alcoholic in nature, whether brewed,
10 fermented, or distilled, with ingredients non-alcoholic in
11 nature, such as fruit juice, lemonade, cream, or a carbonated
12 beverage.

13 "Original container" means, for the purposes of this
14 Section only, a container that is (i) filled, sealed, and
15 secured by a retail licensee's employee at the retail
16 licensee's location with a tamper-evident lid or cap or (ii)
17 filled and labeled by the manufacturer and secured by the
18 manufacturer's original unbroken seal.

19 "Sealed container" means a rigid container that contains a
20 mixed drink or a single serving of wine, is new, has never been
21 used, has a secured lid or cap designed to prevent consumption
22 without removal of the lid or cap, and is tamper-evident.

23 "Sealed container" includes a manufacturer's original
24 container as defined in this subsection. "Sealed container"
25 does not include a container with a lid with sipping holes or

1 openings for straws or a container made of plastic, paper, or
2 polystyrene foam.

3 "Tamper-evident" means a lid or cap that has been sealed
4 with tamper-evident covers, including, but not limited to, wax
5 dip or heat shrink wrap.

6 (b) A cocktail, mixed drink, or single serving of wine
7 placed in a sealed container by a retail licensee at the retail
8 licensee's location or a manufacturer's original container may
9 be transferred and sold for off-premises consumption if the
10 following requirements are met:

11 (1) the cocktail, mixed drink, or single serving of
12 wine is transferred within the licensed premises, by a
13 curbside pickup, or by delivery by an employee of the
14 retail licensee who:

15 (A) has been trained in accordance with Section
16 6-27.1 at the time of the sale;

17 (B) is at least 21 years of age; and

18 (C) upon delivery, verifies the age of the person
19 to whom the cocktail, mixed drink, or single serving
20 of wine is being delivered;

21 (2) if the employee delivering the cocktail, mixed
22 drink, or single serving of wine is not able to safely
23 verify a person's age or level of intoxication upon
24 delivery, the employee shall cancel the sale of alcohol
25 and return the product to the retail license holder;

26 (3) the sealed container is placed in the trunk of the

1 vehicle or if there is no trunk, in the vehicle's rear
2 compartment that is not readily accessible to the
3 passenger area;

4 (4) except for a manufacturer's original container, a
5 container filled and sealed at a retail licensee's
6 location shall be affixed with a label or tag that
7 contains the following information:

8 (A) the cocktail or mixed drink ingredients, type,
9 and name of the alcohol;

10 (B) the name, license number, and address of the
11 retail licensee that filled the original container and
12 sold the product;

13 (C) the volume of the cocktail, mixed drink, or
14 single serving of wine in the sealed container; and

15 (D) the sealed container was filled less than 7
16 days before the date of sale; and

17 (5) a manufacturer's original container shall be
18 affixed with a label or tag that contains the name,
19 license number, and address of the retail licensee that
20 sold the product.

21 (c) Third-party delivery services are not permitted to
22 deliver cocktails and mixed drinks under this Section.

23 (d) If there is an executive order of the Governor in
24 effect during a disaster, the employee delivering the mixed
25 drink, cocktail, or single serving of wine must comply with
26 any requirements of that executive order, including, but not

1 limited to, wearing gloves and a mask and maintaining
2 distancing requirements when interacting with the public.

3 (e) Delivery or carry out of a cocktail, mixed drink, or
4 single serving of wine is prohibited if:

5 (1) a third party delivers the cocktail or mixed
6 drink;

7 (2) a container of a mixed drink, cocktail, or single
8 serving of wine is not tamper-evident and sealed;

9 (3) a container of a mixed drink, cocktail, or single
10 serving of wine is transported in the passenger area of a
11 vehicle;

12 (4) a mixed drink, cocktail, or single serving of wine
13 is delivered by a person or to a person who is under the
14 age of 21; or

15 (5) the person delivering a mixed drink, cocktail, or
16 single serving of wine fails to verify the age of the
17 person to whom the mixed drink or cocktail is being
18 delivered.

19 (f) Violations of this Section shall be subject to any
20 applicable penalties, including, but not limited to, the
21 penalties specified under Section 11-502 of the Illinois
22 Vehicle Code.

23 (f-5) This Section is not intended to prohibit or preempt
24 the ability of a brew pub, tap room, or distilling pub to
25 continue to temporarily deliver alcoholic liquor pursuant to
26 guidance issued by the State Commission on March 19, 2020

1 entitled "Illinois Liquor Control Commission, COVID-19 Related
2 Actions, Guidance on Temporary Delivery of Alcoholic Liquor".
3 This Section shall only grant authorization to holders of
4 State of Illinois retail liquor licenses but not to licensees
5 that simultaneously hold any licensure or privilege to
6 manufacture alcoholic liquors within or outside of the State
7 of Illinois.

8 (g) This Section is not a denial or limitation of home rule
9 powers and functions under Section 6 of Article VII of the
10 Illinois Constitution.

11 (h) This Section is repealed on August 1, 2028 ~~January 3,~~
12 ~~2024~~.

13 (Source: P.A. 101-631, eff. 6-2-20; 102-8, eff. 6-2-21.)

14 (705 ILCS 135/20-5 rep.)

15 Section 12. The Criminal and Traffic Assessment Act is
16 amended by repealing Section 20-5.

17 Section 15. The Criminal Code of 2012 is amended by
18 changing Section 33G-9 as follows:

19 (720 ILCS 5/33G-9)

20 (Section scheduled to be repealed on June 11, 2023)

21 Sec. 33G-9. Repeal. This Article is repealed on June 1,
22 2025 ~~June 11, 2023~~.

23 (Source: P.A. 102-918, eff. 5-27-22.)

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