AN ACT concerning government.

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

Section 5. "An Act concerning education", approved July 30, 2021, Public Act 102-209, is amended by adding Section 99 as follows:

(P.A. 102-209, Sec. 99 new)

Sec. 99. Effective date. This Act takes effect upon becoming law.

Section 10. "An Act concerning education", approved August 27, 2021, Public Act 102-635, is amended by adding Section 99 as follows:

(P.A. 102-635, Sec. 99 new)

Sec. 99. Effective date. This Act takes effect upon becoming law.

Section 15. The Regulatory Sunset Act is amended by changing Section 4.32 as follows:

(5 ILCS 80/4.32)

Sec. 4.32. Acts repealed on January 1, 2022. The following

Acts are repealed on January 1, 2022:

The Boxing and Full-contact Martial Arts Act.

The Cemetery Oversight Act.

The Collateral Recovery Act.

The Community Association Manager Licensing and Disciplinary Act.

The Crematory Regulation Act.

The Detection of Deception Examiners Act.

The Home Inspector License Act.

~~The Illinois Health Information Exchange and Technology Act.~~

The Medical Practice Act of 1987.

The Registered Interior Designers Act.

The Massage Licensing Act.

The Petroleum Equipment Contractors Licensing Act.

The Radiation Protection Act of 1990.

The Real Estate Appraiser Licensing Act of 2002.

The Water Well and Pump Installation Contractor's License Act.

(Source: P.A. 100-920, eff. 8-17-18; 101-316, eff. 8-9-19; 101-614, eff. 12-20-19; 101-639, eff. 6-12-20.)

Section 18. The State Budget Law of the Civil Administrative Code of Illinois is amended by changing Section 50-5 as follows:

(15 ILCS 20/50-5)

Sec. 50-5. Governor to submit State budget.

(a) The Governor shall, as soon as possible and not later than the second Wednesday in March in 2010 (March 10, 2010), the third Wednesday in February in 2011, the fourth Wednesday in February in 2012 (February 22, 2012), the first Wednesday in March in 2013 (March 6, 2013), the fourth Wednesday in March in 2014 (March 26, 2014), the first Wednesday in February in 2022 (February 2, 2022), and the third Wednesday in February of each year thereafter, except as otherwise provided in this Section, submit a State budget, embracing therein the amounts recommended by the Governor to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation, and the estimated revenues from sources other than taxation. Except with respect to the capital development provisions of the State budget, beginning with the revenue estimates prepared for fiscal year 2012, revenue estimates shall be based solely on: (i) revenue sources (including non-income resources), rates, and levels that exist as of the date of the submission of the State budget for the fiscal year and (ii) revenue sources (including non-income resources), rates, and levels that have been passed by the General Assembly as of the date of the submission of the State budget for the fiscal year and that are authorized to take effect in that fiscal year. Except with respect to the capital development provisions of

the State budget, the Governor shall determine available revenue, deduct the cost of essential government services, including, but not limited to, pension payments and debt service, and assign a percentage of the remaining revenue to each statewide prioritized goal, as established in Section 50-25 of this Law, taking into consideration the proposed goals set forth in the report of the Commission established under that Section. The Governor shall also demonstrate how spending priorities for the fiscal year fulfill those statewide goals. The amounts recommended by the Governor for appropriation to the respective departments, offices and institutions shall be formulated according to each department's, office's, and institution's ability to effectively deliver services that meet the established statewide goals. The amounts relating to particular functions and activities shall be further formulated in accordance with the object classification specified in Section 13 of the State Finance Act. In addition, the amounts recommended by the Governor for appropriation shall take into account each State agency's effectiveness in achieving its prioritized goals for the previous fiscal year, as set forth in Section 50-25 of this Law, giving priority to agencies and programs that have demonstrated a focus on the prevention of waste and the maximum yield from resources.

Beginning in fiscal year 2011, the Governor shall distribute written quarterly financial reports on operating

funds, which may include general, State, or federal funds and may include funds related to agencies that have significant impacts on State operations, and budget statements on all appropriated funds to the General Assembly and the State Comptroller. The reports shall be submitted no later than 45 days after the last day of each quarter of the fiscal year and shall be posted on the Governor's Office of Management and Budget's website on the same day. The reports shall be prepared and presented for each State agency and on a statewide level in an executive summary format that may include, for the fiscal year to date, individual itemizations for each significant revenue type as well as itemizations of expenditures and obligations, by agency, with an appropriate level of detail. The reports shall include a calculation of the actual total budget surplus or deficit for the fiscal year to date. The Governor shall also present periodic budget addresses throughout the fiscal year at the invitation of the General Assembly.

The Governor shall not propose expenditures and the General Assembly shall not enact appropriations that exceed the resources estimated to be available, as provided in this Section. Appropriations may be adjusted during the fiscal year by means of one or more supplemental appropriation bills if any State agency either fails to meet or exceeds the goals set forth in Section 50-25 of this Law.

For the purposes of Article VIII, Section 2 of the 1970

Illinois Constitution, the State budget for the following funds shall be prepared on the basis of revenue and expenditure measurement concepts that are in concert with generally accepted accounting principles for governments:

(1) General Revenue Fund.

(2) Common School Fund.

(3) Educational Assistance Fund.

(4) Road Fund.

(5) Motor Fuel Tax Fund.

(6) Agricultural Premium Fund.

These funds shall be known as the "budgeted funds". The revenue estimates used in the State budget for the budgeted funds shall include the estimated beginning fund balance, plus revenues estimated to be received during the budgeted year, plus the estimated receipts due the State as of June 30 of the budgeted year that are expected to be collected during the lapse period following the budgeted year, minus the receipts collected during the first 2 months of the budgeted year that became due to the State in the year before the budgeted year. Revenues shall also include estimated federal reimbursements associated with the recognition of Section 25 of the State Finance Act liabilities. For any budgeted fund for which current year revenues are anticipated to exceed expenditures, the surplus shall be considered to be a resource available for expenditure in the budgeted fiscal year.

Expenditure estimates for the budgeted funds included in

the State budget shall include the costs to be incurred by the State for the budgeted year, to be paid in the next fiscal year, excluding costs paid in the budgeted year which were carried over from the prior year, where the payment is authorized by Section 25 of the State Finance Act. For any budgeted fund for which expenditures are expected to exceed revenues in the current fiscal year, the deficit shall be considered as a use of funds in the budgeted fiscal year.

Revenues and expenditures shall also include transfers between funds that are based on revenues received or costs incurred during the budget year.

Appropriations for expenditures shall also include all anticipated statutory continuing appropriation obligations that are expected to be incurred during the budgeted fiscal year.

By March 15 of each year, the Commission on Government Forecasting and Accountability shall prepare revenue and fund transfer estimates in accordance with the requirements of this Section and report those estimates to the General Assembly and the Governor.

For all funds other than the budgeted funds, the proposed expenditures shall not exceed funds estimated to be available for the fiscal year as shown in the budget. Appropriation for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year.

(b) By February 24, 2010, the Governor must file a written

report with the Secretary of the Senate and the Clerk of the House of Representatives containing the following:

(1) for fiscal year 2010, the revenues for all budgeted funds, both actual to date and estimated for the full fiscal year;

(2) for fiscal year 2010, the expenditures for all budgeted funds, both actual to date and estimated for the full fiscal year;

(3) for fiscal year 2011, the estimated revenues for all budgeted funds, including without limitation the affordable General Revenue Fund appropriations, for the full fiscal year; and

(4) for fiscal year 2011, an estimate of the anticipated liabilities for all budgeted funds, including without limitation the affordable General Revenue Fund appropriations, debt service on bonds issued, and the State's contributions to the pension systems, for the full fiscal year.

Between July 1 and August 31 of each fiscal year, the members of the General Assembly and members of the public may make written budget recommendations to the Governor.

Beginning with budgets prepared for fiscal year 2013, the budgets submitted by the Governor and appropriations made by the General Assembly for all executive branch State agencies must adhere to a method of budgeting where each priority must be justified each year according to merit rather than

according to the amount appropriated for the preceding year. (Source: P.A. 97-669, eff. 1-13-12; 97-813, eff. 7-13-12; 98-2, eff. 2-19-13; 98-626, eff. 2-5-14.)

Section 20. The Illinois Emergency Management Agency Act is amended by changing Section 23 as follows:

(20 ILCS 3305/23)

(Section scheduled to be repealed on January 1, 2032)

Sec. 23. Access and Functional Needs Advisory Committee.

(a) In this Section, "Advisory Committee" means the Access and Functional Needs Advisory Committee.

(b) The Access and Functional Needs Advisory Committee is created.

(c) The Advisory Committee shall:

(1) Coordinate meetings occurring, at a minimum, 3 ~~6~~ times each year, in addition to emergency meetings called by the chairperson of the Advisory Committee.

(2) Research and provide recommendations for identifying and effectively responding to the needs of persons with access and functional needs before, during, and after a disaster using an intersectional lens for equity.

(3) Provide recommendations to the Illinois Emergency Management Agency regarding how to ensure that persons with a disability are included in disaster strategies and

emergency management plans, including updates and implementation of disaster strategies and emergency management plans.

(4) Review and provide recommendations for the Illinois Emergency Management Agency, and all relevant State agencies that are involved in drafting and implementing the Illinois Emergency Operation Plan, to integrate access and functional needs into State and local emergency plans.

(d) The Advisory Committee shall be composed of the Director of the Illinois Emergency Management Agency or his or her designee, the Attorney General or his or her designee, the Secretary of Human Services or his or her designee, the Director on Aging or his or her designee, and the Director of Public Health or his or her designee, together with the following members appointed by the Governor on or before January 1, 2022:

(1) Two members, either from a municipal or county-level emergency agency or a local emergency management coordinator.

(2) Nine members from the community of persons with a disability who represent persons with different types of disabilities, including, but not limited to, individuals with mobility and physical disabilities, hearing and visual disabilities, deafness or who are hard of hearing, blindness or who have low vision, mental health

disabilities, and intellectual or developmental disabilities. Members appointed under this paragraph shall reflect a diversity of age, gender, race, and ethnic background.

(3) Four members who represent first responders from different geographical regions around the State.

(e) Of those members appointed by the Governor, the initial appointments of 6 members shall be for terms of 2 years and the initial appointments of 5 members shall be for terms of 4 years. Thereafter, members shall be appointed for terms of 4 years. A member shall serve until his or her successor is appointed and qualified. If a vacancy occurs in the Advisory Committee membership, the vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

(f) After all the members are appointed, and annually thereafter, they shall elect a chairperson from among the members appointed under paragraph (2) of subsection (d).

(g) The initial meeting of the Advisory Committee shall be convened by the Director of the Illinois Emergency Management Agency no later than February 1, 2022.

(h) Advisory Committee members shall serve without compensation.

(i) The Illinois Emergency Management Agency shall provide administrative support to the Advisory Committee.

(j) The Advisory Committee shall prepare and deliver a

report to the General Assembly, the Governor's Office, and the Illinois Emergency Management Agency by July 1, 2022, and annually thereafter. The report shall include the following:

(1) Identification of core emergency management services that need to be updated or changed to ensure the needs of persons with a disability are met, and shall include disaster strategies in State and local emergency plans.

(2) Any proposed changes in State policies, laws, rules, or regulations necessary to fulfill the purposes of this Act.

(3) Recommendations on improving the accessibility and effectiveness of disaster and emergency communication.

(4) Recommendations on comprehensive training for first responders and other frontline workers when working with persons with a disability during emergency situations or disasters, as defined in Section 4 of the Illinois Emergency Management Agency Act.

(5) Any additional recommendations regarding emergency management and persons with a disability that the Advisory Committee deems necessary.

(k) The annual report prepared and delivered under subsection (j) shall be annually considered by the Illinois Emergency Management Agency when developing new State and local emergency plans or updating existing State and local emergency plans.

(l) The Advisory Committee is dissolved and this Section is repealed on January 1, 2032.

(Source: P.A. 102-361, eff. 8-13-21.)

Section 25. The Illinois Power Agency Act is amended by changing Section 1-130 as follows:

(20 ILCS 3855/1-130)

(Section scheduled to be repealed on January 1, 2022)

Sec. 1-130. Home rule preemption.

(a) The authorization to impose any new taxes or fees specifically related to the generation of electricity by, the capacity to generate electricity by, or the emissions into the atmosphere by electric generating facilities after the effective date of this Act is an exclusive power and function of the State. A home rule unit may not levy any new taxes or fees specifically related to the generation of electricity by, the capacity to generate electricity by, or the emissions into the atmosphere by electric generating facilities after the effective date of this Act. This Section is a denial and limitation on home rule powers and functions under subsection (g) of Section 6 of Article VII of the Illinois Constitution.

(b) This Section is repealed on January 1, 2023 ~~2022~~.

(Source: P.A. 100-1157, eff. 12-19-18; 101-639, eff. 6-12-20.)

Section 30. The Illinois Future of Work Act is amended by

changing Section 15 as follows:

(20 ILCS 4103/15)

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

Sec. 15. Membership; meetings.

(a) The members of the Illinois Future of Work Task Force shall include and represent the diversity of the people of Illinois, and shall be composed of the following:

(1) four members, including one representative of the business community and one representative of the labor community, appointed by the Senate President, one of whom shall serve as co-chair;

(2) four members, including one representative of the business community and one representative of the labor community, appointed by the Minority Leader of the Senate, one of whom shall serve as co-chair;

(3) four members, including one representative of the business community and one representative of the labor community, appointed by the Speaker of the House of Representatives, one of whom shall serve as co-chair;

(4) four members, including one representative of the business community and one representative of the labor community, appointed by the Minority Leader ~~of the Speaker~~ of the House of Representatives, one of whom shall serve as co-chair;

(5) four members, one from each of the following: the

business community, the labor community, the environmental community, and the education community that advocate for job growth, appointed by the Governor;

(6) three members appointed by the Governor whose professional expertise is at the juncture of work and workers' rights;

(7) the Director of Labor or his or her designee;

(8) the Director of Commerce and Economic Opportunity or his or her designee;

(9) the Director of Employment Security or his or her designee;

(10) the Superintendent of the State Board of Education or his or her designee;

(11) the Executive Director of the Illinois Community College Board or his or her designee; ~~and~~

(12) the Executive Director of the Board of Higher Education or his or her designee; ~~.~~

(13) a representative of a labor organization recognized under the National Labor Relations Act representing auto workers, appointed by the Governor;

(14) a representative from the University of Illinois School of Employment and Labor Relations, appointed by the Governor;

(15) a representative of a professional teachers' organization located in a city having a population exceeding 500,000, appointed by the Governor; and

(16) three members of the business community appointed jointly by the Minority Leader of the Senate and Minority Leader of the House.

(b) Appointments for the Illinois Future of Work Task Force must be finalized by December 31 ~~August 31~~, 2021. The Illinois Future of Work Task Force shall hold one meeting per month for a total of 7 meetings, and the first meeting must be held within 30 days after appointments are finalized.

(c) Members of the Illinois Future of Work Task Force shall serve without compensation.

(d) The Department of Commerce and Economic Opportunity shall provide administrative support to the Task Force.

(Source: P.A. 102-407, eff. 8-19-21; revised 8-25-21.)

Section 35. The Local Journalism Task Force Act is amended by changing Section 10 as follows:

(20 ILCS 4108/10)

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

Sec. 10. Membership. The Task Force shall include ~~consist of~~ the following ~~13~~ members: one member of the House of Representatives appointed by the Speaker of the House of Representatives; one member of the House of Representatives appointed by the Minority Leader of the House of Representatives; one member of the Senate appointed by the President of the Senate; one member of the Senate appointed by

the Minority Leader of the Senate; and one member appointed by the Governor.~~,~~ The Task Force shall also include the following members appointed by the Governor: one representative of the Chicago News Guild; one representative of the Chicago Chapter of the National Association of Broadcast Employees and Technicians; one representative of the Medill School of Journalism, Media, Integrated Marketing Communications at Northwestern University; one representative of the Public Affairs Reporting Program at the University of Illinois at Springfield; one representative of the School of Journalism at Southern Illinois University Carbondale; one representative of the Illinois Press Association; one representative of the Illinois Broadcasters Association; one representative of the Illinois Legislative Correspondents Association; one representative of the Illinois Public Broadcasting Council; one representative of the Illinois News Broadcasters Association; one representative of the University of Illinois at Urbana-Champaign; and one representative of the Illinois Municipal League. Appointments shall be made no later than 30 days following the effective date of this Act.

(Source: P.A. 102-569, eff. 1-1-22.)

Section 40. The Kidney Disease Prevention and Education Task Force Act is amended by changing Sections 10-10 and 10-15 as follows:

(20 ILCS 5160/10-10)

(Section scheduled to be repealed on June 1, 2022)

Sec. 10-10. Kidney Disease Prevention and Education Task Force.

(a) There is hereby established the Kidney Disease Prevention and Education Task Force to work directly with educational institutions to create health education programs to increase awareness of and to examine chronic kidney disease, transplantations, living and deceased kidney donation, and the existing disparity in the rates of those afflicted between Caucasians and minorities.

(b) The Task Force shall develop a sustainable plan to raise awareness about early detection, promote health equity, and reduce the burden of kidney disease throughout the State, which shall include an ongoing campaign that includes health education workshops and seminars, relevant research, and preventive screenings and that promotes social media campaigns and TV and radio commercials.

(c) Membership of the Task Force shall be as follows:

(1) one member of the Senate, appointed by the Senate President, who shall serve as Co-Chair;

(2) one member of the House of Representatives, appointed by the Speaker of the House, who shall serve as Co-Chair;

(3) one member of the House of Representatives, appointed by the Minority Leader of the House;

(4) one member of the Senate, appointed by the Senate Minority Leader;

(5) one member representing the Department of Public Health, appointed by the Governor;

(6) one member representing the Department of Healthcare and Family Services, appointed by the Governor;

(7) one member representing a medical center in a county with a population of more 3 million residents, appointed by the Co-Chairs;

(8) one member representing a physician's association in a county with a population of more than 3 million residents, appointed by the Co-Chairs;

(9) one member representing a not-for-profit organ procurement organization, appointed by the Co-Chairs;

(10) one member representing a national nonprofit research kidney organization in the State of Illinois, appointed by the Co-Chairs; ~~and~~

(11) the Secretary of State or his or her designee; ~~.~~

(12) one member who is a dialysis patient, appointed by the Co-Chairs;

(13) one member who is a chronic kidney disease patient, appointed by the Co-Chairs;

(14) one member who is a kidney transplant recipient, appointed by the Co-Chairs;

(15) one member who is a representative of a program working to break down barriers to transplant care in the

African American community through access to education, resources, and transplant care, appointed by the Co-Chairs; and

(16) one member who is a representative of a nationwide, non-profit organization with membership for dialysis and pre-dialysis patients and their families, appointed by the Co-Chairs.

(d) Members of the Task Force shall serve without compensation.

(e) The Department of Public Health shall provide administrative support to the Task Force.

(f) The Task Force shall submit its final report to the General Assembly on or before December 31, 2023 ~~December 31, 2021~~ and, upon the filing of its final report, is dissolved.

(Source: P.A. 101-649, eff. 7-7-20.)

(20 ILCS 5160/10-15)

(Section scheduled to be repealed on June 1, 2022)

Sec. 10-15. Repeal. This Act is repealed on June 1, 2024 ~~June 1, 2022~~.

(Source: P.A. 101-649, eff. 7-7-20.)

Section 45. The Illinois Procurement Code is amended by changing Sections 1-15.93, 30-30, and 45-57 as follows:

(30 ILCS 500/1-15.93)

(Section scheduled to be repealed on January 1, 2022)

Sec. 1-15.93. Single prime. "Single prime" means the design-bid-build procurement delivery method for a building construction project in which the Capital Development Board is the construction agency procuring 2 or more subdivisions of work enumerated in paragraphs (1) through (5) of subsection (a) of Section 30-30 of this Code under a single contract. This Section is repealed on January 1, 2024 ~~2022~~.

(Source: P.A. 101-369, eff. 12-15-19; 101-645, eff. 6-26-20.)

(30 ILCS 500/30-30)

Sec. 30-30. Design-bid-build construction.

(a) The provisions of this subsection are operative through December 31, 2023 ~~2021~~.

For building construction contracts in excess of $250,000, separate specifications may be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;

(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;

(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;

(4) electric wiring; and

(5) general contract work.

The specifications may be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof may award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract.

Beginning on the effective date of this amendatory Act of the 101st General Assembly and through December 31, 2023 ~~2020~~, for single prime projects: (i) the bid of the successful low bidder shall identify the name of the subcontractor, if any, and the bid proposal costs for each of the 5 subdivisions of work set forth in this Section; (ii) the contract entered into with the successful bidder shall provide that no identified subcontractor may be terminated without the written consent of the Capital Development Board; (iii) the contract shall comply with the disadvantaged business practices of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act and the equal employment practices of Section

2-105 of the Illinois Human Rights Act; and (iv) the Capital Development Board shall submit an annual report to the General Assembly and Governor on the bidding, award, and performance of all single prime projects.

For building construction projects with a total construction cost valued at $5,000,000 or less, the Capital Development Board shall not use the single prime procurement delivery method for more than 50% of the total number of projects bid for each fiscal year. Any project with a total construction cost valued greater than $5,000,000 may be bid using single prime at the discretion of the Executive Director of the Capital Development Board.

(b) The provisions of this subsection are operative on and after January 1, 2024 ~~2022~~. For building construction contracts in excess of $250,000, separate specifications shall be prepared for all equipment, labor, and materials in connection with the following 5 subdivisions of the work to be performed:

(1) plumbing;

(2) heating, piping, refrigeration, and automatic temperature control systems, including the testing and balancing of those systems;

(3) ventilating and distribution systems for conditioned air, including the testing and balancing of those systems;

(4) electric wiring; and

(5) general contract work.

The specifications must be so drawn as to permit separate and independent bidding upon each of the 5 subdivisions of work. All contracts awarded for any part thereof shall award the 5 subdivisions of work separately to responsible and reliable persons, firms, or corporations engaged in these classes of work. The contracts, at the discretion of the construction agency, may be assigned to the successful bidder on the general contract work or to the successful bidder on the subdivision of work designated by the construction agency before the bidding as the prime subdivision of work, provided that all payments will be made directly to the contractors for the 5 subdivisions of work upon compliance with the conditions of the contract.

(Source: P.A. 100-391, eff. 8-25-17; 101-369, eff. 12-15-19; 101-645, eff. 6-26-20.)

(30 ILCS 500/45-57)

Sec. 45-57. Veterans.

(a) Set-aside goal. It is the goal of the State to promote and encourage the continued economic development of small businesses owned and controlled by qualified veterans and that qualified service-disabled veteran-owned small businesses (referred to as SDVOSB) and veteran-owned small businesses (referred to as VOSB) participate in the State's procurement process as both prime contractors and subcontractors. Not less

than 3% of the total dollar amount of State contracts, as defined by the Commission on Equity and Inclusion ~~Director of Central Management Services~~, shall be established as a goal to be awarded to SDVOSB and VOSB. That portion of a contract under which the contractor subcontracts with a SDVOSB or VOSB may be counted toward the goal of this subsection. The Commission on Equity and Inclusion ~~Department of Central Management Services~~ shall adopt rules to implement compliance with this subsection by all State agencies.

(b) Fiscal year reports. By each November 1, each chief procurement officer shall report to the Commission on Equity and Inclusion ~~Department of Central Management Services~~ on all of the following for the immediately preceding fiscal year, and by each March 1 the Commission on Equity and Inclusion ~~Department of Central Management Services~~ shall compile and report that information to the General Assembly:

(1) The total number of VOSB, and the number of SDVOSB, who submitted bids for contracts under this Code.

(2) The total number of VOSB, and the number of SDVOSB, who entered into contracts with the State under this Code and the total value of those contracts.

(b-5) The Commission on Equity and Inclusion ~~Department of Central Management Services~~ shall submit an annual report to the Governor and the General Assembly that shall include the following:

(1) a year-by-year comparison of the number of

certifications the State has issued to veteran-owned small businesses and service-disabled veteran-owned small businesses;

(2) the obstacles, if any, the Commission on Equity and Inclusion ~~Department of Central Management Services~~ faces when certifying veteran-owned businesses and possible rules or changes to rules to address those issues;

(3) a year-by-year comparison of awarded contracts to certified veteran-owned small businesses and service-disabled veteran-owned small businesses; and

(4) any other information that the Commission on Equity and Inclusion ~~Department of Central Management Services~~ deems necessary to assist veteran-owned small businesses and service-disabled veteran-owned small businesses to become certified with the State.

The Commission on Equity and Inclusion ~~Department of Central Management Services~~ shall conduct a minimum of 2 outreach events per year to ensure that veteran-owned small businesses and service-disabled veteran-owned small businesses know about the procurement opportunities and certification requirements with the State. The Commission on Equity and Inclusion ~~Department of Central Management Services~~ may receive appropriations for outreach.

(c) Yearly review and recommendations. Each year, each chief procurement officer shall review the progress of all

State agencies under its jurisdiction in meeting the goal described in subsection (a), with input from statewide veterans' service organizations and from the business community, including businesses owned by qualified veterans, and shall make recommendations to be included in the Commission on Equity and Inclusion's ~~Department of Central Management Services'~~ report to the General Assembly regarding continuation, increases, or decreases of the percentage goal. The recommendations shall be based upon the number of businesses that are owned by qualified veterans and on the continued need to encourage and promote businesses owned by qualified veterans.

(d) Governor's recommendations. To assist the State in reaching the goal described in subsection (a), the Governor shall recommend to the General Assembly changes in programs to assist businesses owned by qualified veterans.

(e) Definitions. As used in this Section:

"Armed forces of the United States" means the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or service in active duty as defined under 38 U.S.C. Section 101. Service in the Merchant Marine that constitutes active duty under Section 401 of federal Public Act 95-202 shall also be considered service in the armed forces for purposes of this Section.

"Certification" means a determination made by the Illinois Department of Veterans' Affairs and the Commission on Equity

and Inclusion ~~Department of Central Management Services~~ that a business entity is a qualified service-disabled veteran-owned small business or a qualified veteran-owned small business for whatever purpose. A SDVOSB or VOSB owned and controlled by women, minorities, or persons with disabilities, as those terms are defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, may also select and designate whether that business is to be certified as a "women-owned business", "minority-owned business", or "business owned by a person with a disability", as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

"Control" means the exclusive, ultimate, majority, or sole control of the business, including but not limited to capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operation responsibilities, cost-control matters, income and dividend matters, financial transactions, and rights of other shareholders or joint partners. Control shall be real, substantial, and continuing, not pro forma. Control shall include the power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management, and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the

particular business, and control shall not include simple majority or absentee ownership.

"Qualified service-disabled veteran" means a veteran who has been found to have 10% or more service-connected disability by the United States Department of Veterans Affairs or the United States Department of Defense.

"Qualified service-disabled veteran-owned small business" or "SDVOSB" means a small business (i) that is at least 51% owned by one or more qualified service-disabled veterans living in Illinois or, in the case of a corporation, at least 51% of the stock of which is owned by one or more qualified service-disabled veterans living in Illinois; (ii) that has its home office in Illinois; and (iii) for which items (i) and (ii) are factually verified annually by the Commission on Equity and Inclusion ~~Department of Central Management Services~~.

"Qualified veteran-owned small business" or "VOSB" means a small business (i) that is at least 51% owned by one or more qualified veterans living in Illinois or, in the case of a corporation, at least 51% of the stock of which is owned by one or more qualified veterans living in Illinois; (ii) that has its home office in Illinois; and (iii) for which items (i) and (ii) are factually verified annually by the Commission on Equity and Inclusion ~~Department of Central Management Services~~.

"Service-connected disability" means a disability incurred

in the line of duty in the active military, naval, or air service as described in 38 U.S.C. 101(16).

"Small business" means a business that has annual gross sales of less than $75,000,000 as evidenced by the federal income tax return of the business. A firm with gross sales in excess of this cap may apply to the Commission on Equity and Inclusion ~~Department of Central Management Services~~ for certification for a particular contract if the firm can demonstrate that the contract would have significant impact on SDVOSB or VOSB as suppliers or subcontractors or in employment of veterans or service-disabled veterans.

"State agency" has the meaning provided in Section 1-15.100 of this Code.

"Time of hostilities with a foreign country" means any period of time in the past, present, or future during which a declaration of war by the United States Congress has been or is in effect or during which an emergency condition has been or is in effect that is recognized by the issuance of a Presidential proclamation or a Presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.

"Veteran" means a person who (i) has been a member of the armed forces of the United States or, while a citizen of the United States, was a member of the armed forces of allies of the United States in time of hostilities with a foreign country and (ii) has served under one or more of the following

conditions: (a) the veteran served a total of at least 6 months; (b) the veteran served for the duration of hostilities regardless of the length of the engagement; (c) the veteran was discharged on the basis of hardship; or (d) the veteran was released from active duty because of a service connected disability and was discharged under honorable conditions.

(f) Certification program. The Illinois Department of Veterans' Affairs and the Commission on Equity and Inclusion ~~Department of Central Management Services~~ shall work together to devise a certification procedure to assure that businesses taking advantage of this Section are legitimately classified as qualified service-disabled veteran-owned small businesses or qualified veteran-owned small businesses.

The Commission on Equity and Inclusion ~~Department of Central Management Services~~ shall:

(1) compile and maintain a comprehensive list of certified veteran-owned small businesses and service-disabled veteran-owned small businesses;

(2) assist veteran-owned small businesses and service-disabled veteran-owned small businesses in complying with the procedures for bidding on State contracts;

(3) provide training for State agencies regarding the goal setting process and compliance with veteran-owned small business and service-disabled veteran-owned small business goals; and

(4) implement and maintain an electronic portal on the Commission on Equity and Inclusion's ~~Department's~~ website for the purpose of completing and submitting veteran-owned small business and service-disabled veteran-owned small business certificates.

The Commission on Equity and Inclusion ~~Department of Central Management Services~~, in consultation with the Department of Veterans' Affairs, may develop programs and agreements to encourage cities, counties, towns, townships, and other certifying entities to adopt uniform certification procedures and certification recognition programs.

(f-5) A business shall be certified by the Commission on Equity and Inclusion ~~Department of Central Management Services~~ as a service-disabled veteran-owned small business or a veteran-owned small business for purposes of this Section if the Commission on Equity and Inclusion ~~Department of Central Management Services~~ determines that the business has been certified as a service-disabled veteran-owned small business or a veteran-owned small business by the Vets First Verification Program of the United States Department of Veterans Affairs, and the business has provided to the Commission on Equity and Inclusion ~~Department of Central Management Services~~ the following:

(1) documentation showing certification as a service-disabled veteran-owned small business or a veteran-owned small business by the Vets First

Verification Program of the United States Department of Veterans Affairs;

(2) proof that the business has its home office in Illinois; and

(3) proof that the qualified veterans or qualified service-disabled veterans live in the State of Illinois.

The policies of the Commission on Equity and Inclusion ~~Department of Central Management Services~~ regarding recognition of the Vets First Verification Program of the United States Department of Veterans Affairs shall be reviewed annually by the Commission on Equity and Inclusion ~~Department of Central Management Services~~, and recognition of service-disabled veteran-owned small businesses and veteran-owned small businesses certified by the Vets First Verification Program of the United States Department of Veterans Affairs may be discontinued by the Commission on Equity and Inclusion ~~Department of Central Management Services~~ by rule upon a finding that the certification standards of the Vets First Verification Program of the United States Department of Veterans Affairs do not meet the certification requirements established by the Commission on Equity and Inclusion ~~Department of Central Management Services~~.

(g) Penalties.

(1) Administrative penalties. The chief procurement officers appointed pursuant to Section 10-20 shall suspend any person who commits a violation of Section 17-10.3 or

subsection (d) of Section 33E-6 of the Criminal Code of 2012 relating to this Section from bidding on, or participating as a contractor, subcontractor, or supplier in, any State contract or project for a period of not less than 3 years, and, if the person is certified as a service-disabled veteran-owned small business or a veteran-owned small business, then the Commission on Equity and Inclusion ~~Department~~ shall revoke the business's certification for a period of not less than 3 years. An additional or subsequent violation shall extend the periods of suspension and revocation for a period of not less than 5 years. The suspension and revocation shall apply to the principals of the business and any subsequent business formed or financed by, or affiliated with, those principals.

(2) Reports of violations. Each State agency shall report any alleged violation of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 2012 relating to this Section to the chief procurement officers appointed pursuant to Section 10-20. The chief procurement officers appointed pursuant to Section 10-20 shall subsequently report all such alleged violations to the Attorney General, who shall determine whether to bring a civil action against any person for the violation.

(3) List of suspended persons. The chief procurement officers appointed pursuant to Section 10-20 shall monitor

the status of all reported violations of Section 17-10.3 or subsection (d) of Section 33E-6 of the Criminal Code of 1961 or the Criminal Code of 2012 relating to this Section and shall maintain and make available to all State agencies a central listing of all persons that committed violations resulting in suspension.

(4) Use of suspended persons. During the period of a person's suspension under paragraph (1) of this subsection, a State agency shall not enter into any contract with that person or with any contractor using the services of that person as a subcontractor.

(5) Duty to check list. Each State agency shall check the central listing provided by the chief procurement officers appointed pursuant to Section 10-20 under paragraph (3) of this subsection to verify that a person being awarded a contract by that State agency, or to be used as a subcontractor or supplier on a contract being awarded by that State agency, is not under suspension pursuant to paragraph (1) of this subsection.

(h) On and after the effective date of this amendatory Act of the 102nd General Assembly, all powers, duties, rights, and responsibilities of the Department of Central Management Services with respect to the requirements of this Section are transferred to the Commission on Equity and Inclusion.

All books, records, papers, documents, property (real and personal), contracts, causes of action, and pending business

pertaining to the powers, duties, rights, and responsibilities transferred by this amendatory Act from the Department of Central Management Services to the Commission on Equity and Inclusion, including, but not limited to, material in electronic or magnetic format and necessary computer hardware and software, shall be transferred to the Commission on Equity and Inclusion.

The powers, duties, rights, and responsibilities transferred from the Department of Central Management Services by this amendatory Act shall be vested in and shall be exercised by the Commission on Equity and Inclusion.

Whenever reports or notices are now required to be made or given or papers or documents furnished or served by any person to or upon the Department of Central Management Services in connection with any of the powers, duties, rights, and responsibilities transferred by this amendatory Act, the same shall be made, given, furnished, or served in the same manner to or upon the Commission on Equity and Inclusion.

This amendatory Act of the 102nd General Assembly does not affect any act done, ratified, or canceled or any right occurring or established or any action or proceeding had or commenced in an administrative, civil, or criminal cause by the Department of Central Management Services before this amendatory Act takes effect; such actions or proceedings may be prosecuted and continued by the Commission on Equity and Inclusion.

Any rules of the Department of Central Management Services that relate to its powers, duties, rights, and responsibilities under this Section and are in full force on the effective date of this amendatory Act of the 102nd General Assembly shall become the rules of the Commission on Equity and Inclusion. This amendatory Act does not affect the legality of any such rules in the Illinois Administrative Code. Any proposed rules filed with the Secretary of State by the Department of Central Management Services that are pending in the rulemaking process on the effective date of this amendatory Act and pertain to the powers, duties, rights, and responsibilities transferred, shall be deemed to have been filed by the Commission on Equity and Inclusion. As soon as practicable hereafter, the Commission on Equity and Inclusion shall revise and clarify the rules transferred to it under this amendatory Act to reflect the reorganization of powers, duties, rights, and responsibilities affected by this amendatory Act, using the procedures for recodification of rules available under the Illinois Administrative Procedure Act, except that existing title, part, and section numbering for the affected rules may be retained. The Commission on Equity and Inclusion may propose and adopt under the Illinois Administrative Procedure Act such other rules of the Department of Central Management Services that will now be administered by the Commission on Equity and Inclusion.

(Source: P.A. 102-166, eff. 7-26-21.)

Section 50. The Commission on Equity and Inclusion Act is amended by changing Section 40-10 as follows:

(30 ILCS 574/40-10)

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

Sec. 40-10. Powers and duties. In addition to the other powers and duties which may be prescribed in this Act or elsewhere, the Commission shall have the following powers and duties:

(1) The Commission shall have a role in all State and university procurement by facilitating and streamlining communications between the Business Enterprise Council for Minorities, Women, and Persons with Disabilities, the purchasing entities, the Chief Procurement Officers, and others.

(2) The Commission may create a scoring evaluation for State agency directors, public university presidents and chancellors, and public community college presidents. The scoring shall be based on the following 3 principles: (i) increasing capacity; (ii) growing revenue; and (iii) enhancing credentials. These principles should be the foundation of the agency compliance plan required under Section 6 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act.

(3) The Commission shall exercise the authority and duties provided to it under Section 5-7 of the Illinois Procurement Code.

(4) The Commission, working with State agencies, shall provide support for diversity in State hiring.

(5) The Commission shall oversee the implementation of diversity training of the State workforce.

(6) Each January, and as otherwise frequently as may be deemed necessary and appropriate by the Commission, the Commission shall propose and submit to the Governor and the General Assembly legislative changes to increase inclusion and diversity in State government.

(7) The Commission shall have oversight over the following entities:

(A) the Illinois African-American Family Commission;

(B) the Illinois Latino Family Commission;

(C) the Asian American Family Commission;

(D) the Illinois Muslim American Advisory Council;

(E) the Illinois African-American Fair Contracting Commission created under Executive Order 2018-07; and

(F) the Business Enterprise Council for Minorities, Women, and Persons with Disabilities.

(8) The Commission shall adopt any rules necessary for the implementation and administration of the requirements of this Act.

(9) The Commission shall exercise the authority and duties provided to it under Section 45-57 of the Illinois Procurement Code.

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

Section 55. The Counties Code is amended by changing Sections 3-5010.8, 4-11001.5, 5-41065, and 5-43043 as follows:

(55 ILCS 5/3-5010.8)

(Section scheduled to be repealed on January 1, 2022)

Sec. 3-5010.8. Mechanics lien demand and referral pilot program.

(a) Legislative findings. The General Assembly finds that expired mechanics liens on residential property, which cloud title to property, are a rapidly growing problem throughout the State. In order to address the increase in expired mechanics liens and, more specifically, those that have not been released by the lienholder, a recorder may establish a process to demand and refer mechanics liens that have been recorded but not litigated or released in accordance with the Mechanics Lien Act to an administrative law judge for resolution or demand that the lienholder commence suit or forfeit the lien.

(b) Definitions. As used in this Section:

"Demand to Commence Suit" means the written demand specified in Section 34 of the Mechanics Lien Act.

"Mechanics lien" and "lien" are used interchangeably in this Section.

"Notice of Expired Mechanics Lien" means the notice a recorder gives to a property owner under subsection (d) informing the property owner of an expired lien.

"Notice of Referral" means the document referring a mechanics lien to a county's code hearing unit.

"Recording" and "filing" are used interchangeably in this Section.

"Referral" or "refer" means a recorder's referral of a mechanics lien to a county's code hearing unit to obtain a determination as to whether a recorded mechanics lien is valid.

"Residential property" means real property improved with not less than one nor more than 4 residential dwelling units; a residential condominium unit, including, but not limited to, the common elements allocated to the exclusive use of the condominium unit that form an integral part of the condominium unit and any parking unit or units specified by the declaration to be allocated to a specific residential condominium unit; or a single tract of agriculture real estate consisting of 40 acres or less that is improved with a single-family residence. If a declaration of condominium ownership provides for individually owned and transferable parking units, "residential property" does not include the parking unit of a specified residential condominium unit

unless the parking unit is included in the legal description of the property against which the mechanics lien is recorded.

(c) Establishment of a mechanics lien demand and referral process. After a public hearing, a recorder in a county with a code hearing unit may adopt rules establishing a mechanics lien demand and referral process for residential property. A recorder shall provide public notice 90 days before the public hearing. The notice shall include a statement of the recorder's intent to create a mechanics lien demand and referral process and shall be published in a newspaper of general circulation in the county and, if feasible, be posted on the recorder's website and at the recorder's office or offices.

(d) Notice of Expired Lien. If a recorder determines, after review by legal staff or counsel, that a mechanics lien recorded in the grantor's index or the grantee's index is an expired lien, the recorder shall serve a Notice of Expired Lien by certified mail to the last known address of the owner. The owner or legal representative of the owner of the residential property shall confirm in writing his or her belief that the lien is not involved in pending litigation and, if there is no pending litigation, as verified and confirmed by county court records, the owner may request that the recorder proceed with a referral or serve a Demand to Commence Suit.

For the purposes of this Section, a recorder shall

determine if a lien is an expired lien. A lien is expired if a suit to enforce the lien has not been commenced or a counterclaim has not been filed by the lienholder within 2 years after the completion date of the contract as specified in the recorded mechanics lien. The 2-year period shall be increased to the extent that an automatic stay under Section 362(a) of the United States Bankruptcy Code stays a suit or counterclaim to foreclose the lien. If a work completion date is not specified in the recorded lien, then the work completion date is the date of recording of the mechanics lien.

(e) Demand to Commence Suit. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to serve a Demand to Commence Suit, the recorder shall serve a Demand to Commence Suit on the lienholder of the expired lien as provided in Section 34 of the Mechanics Lien Act. A recorder may request that the Secretary of State assist in providing registered agent information or obtain information from the Secretary of State's registered business database when the recorder seeks to serve a Demand to Commence suit on the lienholder. Upon request, the Secretary of State, or his or her designee, shall provide the last known address or registered agent information for a lienholder who is incorporated or doing business in the State. The recorder must record a copy of the Demand to Commence suit in the grantor's index or the grantee's index

identifying the mechanics lien and include the corresponding document number and the date of demand. The recorder may, at his or her discretion, notify the Secretary of State regarding a Demand to Commence suit determined to involve a company, corporation, or business registered with that office.

When the lienholder commences a suit or files an answer within 30 days or the lienholder records a release of lien with the county recorder as required by subsection (a) of Section 34 of the Mechanics Lien Act, then the demand and referral process is completed for the recorder for that property. If service under this Section is responded to consistent with Section 34 of the Mechanics Lien Act, the recorder may not proceed under subsection (f). If no response is received consistent with Section 34 of the Mechanics Lien Act, the recorder may proceed under subsection (f).

(f) Referral. Upon receipt of an owner's confirmation that the lien is not involved in pending litigation and a request for the recorder to proceed with a referral, the recorder shall: (i) file the Notice of Referral with the county's code hearing unit; (ii) identify and notify the lienholder by telephone, if available, of the referral and send a copy of the Notice of Referral by certified mail to the lienholder using information included in the recorded mechanics lien or the last known address or registered agent received from the Secretary of State or obtained from the Secretary of State's registered business database; (iii) send a copy of the Notice

of Referral by mail to the physical address of the property owner associated with the lien; and (iv) record a copy of the Notice of Referral in the grantor's index or the grantee's index identifying the mechanics lien and include the corresponding document number. The Notice of Referral shall clearly identify the person, persons, or entity believed to be the owner, assignee, successor, or beneficiary of the lien. The recorder may, at his or her discretion, notify the Secretary of State regarding a referral determined to involve a company, corporation, or business registered with that office.

No earlier than 30 business days after the date the lienholder is required to respond to a Demand to Commence Suit under Section 34 of the Mechanics Lien Act, the code hearing unit shall schedule a hearing to occur at least 30 days after sending notice of the date of hearing. Notice of the hearing shall be provided by the county recorder, by and through his or her representative, to the filer, or the party represented by the filer, of the expired lien, the legal representative of the recorder of deeds who referred the case, and the last owner of record, as identified in the Notice of Referral.

If the recorder shows by clear and convincing evidence that the lien in question is an expired lien, the administrative law judge shall rule the lien is forfeited under Section 34.5 of the Mechanics Lien Act and that the lien no longer affects the chain of title of the property in any

way. The judgment shall be forwarded to all parties identified in this subsection. Upon receiving judgment of a forfeited lien, the recorder shall, within 5 business days, record a copy of the judgment in the grantor's index or the grantee's index.

If the administrative law judge finds the lien is not expired, the recorder shall, no later than 5 business days after receiving notice of the decision of the administrative law judge, record a copy of the judgment in the grantor's index or the grantee's index.

A decision by an administrative law judge is reviewable under the Administrative Review Law, and nothing in this Section precludes a property owner or lienholder from proceeding with a civil action to resolve questions concerning a mechanics lien.

A lienholder or property owner may remove the action from the code hearing unit to the circuit court as provided in subsection (i).

(g) Final administrative decision. The recorder's decision to refer a mechanics lien or serve a Demand to Commence Suit is a final administrative decision that is subject to review under the Administrative Review Law by the circuit court of the county where the real property is located. The standard of review by the circuit court shall be consistent with the Administrative Review Law.

(h) Liability. A recorder and his or her employees or

agents are not subject to personal liability by reason of any error or omission in the performance of any duty under this Section, except in the case of willful or wanton conduct. The recorder and his or her employees or agents are not liable for the decision to refer a lien or serve a Demand to Commence Suit, or failure to refer or serve a Demand to Commence Suit, of a lien under this Section.

(i) Private actions; use of demand and referral process. Nothing in this Section precludes a private right of action by any party with an interest in the property affected by the mechanics lien or a decision by the code hearing unit. Nothing in this Section requires a person or entity who may have a mechanics lien recorded against his or her property to use the mechanics lien demand and referral process created by this Section.

A lienholder or property owner may remove a matter in the referral process to the circuit court at any time prior to the final decision of the administrative law judge by delivering a certified notice of the suit filed in the circuit court to the administrative law judge. Upon receipt of the certified notice, the administrative law judge shall dismiss the matter without prejudice. If the matter is dismissed due to removal, then the demand and referral process is completed for the recorder for that property. If the circuit court dismisses the removed matter without deciding on whether the lien is expired and without prejudice, the recorder may reinstitute the demand

and referral process under subsection (d).

(j) Repeal. This Section is repealed on January 1, 2024 ~~2022~~.

(Source: P.A. 100-1061, eff. 1-1-19; 101-296, eff. 8-9-19.)

(55 ILCS 5/4-11001.5)

(Section scheduled to be repealed on January 1, 2022)

Sec. 4-11001.5. Lake County Children's Advocacy Center Pilot Program.

(a) The Lake County Children's Advocacy Center Pilot Program is established. Under the Pilot Program, any grand juror or petit juror in Lake County may elect to have his or her juror fees earned under Section 4-11001 of this Code to be donated to the Lake County Children's Advocacy Center, a division of the Lake County State's Attorney's office.

(b) On or before January 1, 2017, the Lake County board shall adopt, by ordinance or resolution, rules and policies governing and effectuating the ability of jurors to donate their juror fees to the Lake County Children's Advocacy Center beginning January 1, 2017 and ending December 31, 2018. At a minimum, the rules and policies must provide:

(1) for a form that a juror may fill out to elect to donate his or her juror fees. The form must contain a statement, in at least 14-point bold type, that donation of juror fees is optional;

(2) that all monies donated by jurors shall be

transferred by the county to the Lake County Children's Advocacy Center at the same time a juror is paid under Section 4-11001 of this Code who did not elect to donate his or her juror fees; and

(3) that all juror fees donated under this Section shall be used exclusively for the operation of Lake County Children's Advocacy Center.

The Lake County board shall adopt an ordinance or resolution reestablishing the rules and policies previously adopted under this subsection allowing a juror to donate his or her juror fees to the Lake County Children's Advocacy Center through December 31, 2021.

(c) The following information shall be reported to the General Assembly and the Governor by the Lake County board after each calendar year of the Pilot Program on or before March 31, 2018, March 31, 2019, July 1, 2020, and July 1, 2021:

(1) the number of grand and petit jurors who earned fees under Section 4-11001 of this Code during the previous calendar year;

(2) the number of grand and petit jurors who donated fees under this Section during the previous calendar year;

(3) the amount of donated fees under this Section during the previous calendar year;

(4) how the monies donated in the previous calendar year were used by the Lake County Children's Advocacy Center; and

(5) how much cost there was incurred by Lake County and the Lake County State's Attorney's office in the previous calendar year in implementing the Pilot Program.

(d) This Section is repealed on January 1, 2024 ~~2022~~.

(Source: P.A. 100-201, eff. 8-18-17; 101-612, eff. 12-20-19.)

(55 ILCS 5/5-41065)

(Section scheduled to be repealed on January 1, 2022)

Sec. 5-41065. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2024 ~~2022~~.

(Source: P.A. 100-1061, eff. 1-1-19.)

(55 ILCS 5/5-43043)

(Section scheduled to be repealed on January 1, 2022)

Sec. 5-43043. Mechanics lien demand and referral adjudication.

(a) Notwithstanding any other provision in this Division, a county's code hearing unit must adjudicate an expired mechanics lien referred to the unit under Section 3-5010.8.

(b) If a county does not have an administrative law judge in its code hearing unit who is familiar with the areas of law relating to mechanics liens, one may be appointed no later than 3 months after the effective date of this amendatory Act of the 100th General Assembly to adjudicate all referrals concerning mechanics liens under Section 3-5010.8.

(c) If an administrative law judge familiar with the areas of law relating to mechanics liens has not been appointed as provided subsection (b) when a mechanics lien is referred under Section 3-5010.8 to the code hearing unit, the case shall be removed to the proper circuit court with jurisdiction.

(d) This Section is repealed on January 1, 2024 ~~2022~~.

(Source: P.A. 100-1061, eff. 1-1-19.)

Section 60. The School Code is amended by changing Sections 2-3.187, 17-2A, and 22-90 as follows:

(105 ILCS 5/2-3.187)

(Text of Section before amendment by P.A. 102-209)

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

Sec. 2-3.187. Inclusive American History Commission.

(a) The Inclusive American History Commission is created to provide assistance to the State Board of Education in revising its social science learning standards under subsection (a-5) of Section 2-3.25, including social science learning standards for students enrolled in pre-kindergarten.

(b) The State Board of Education shall convene the Inclusive American History Commission to do all of the following:

(1) Review available resources for use in school districts that reflect the racial and ethnic diversity of this State and country. The resources identified by the Commission may be posted on the State Board of Education's Internet website.

(2) Provide guidance for each learning standard developed for educators on how to ensure that instruction and content are not biased to value specific cultures, time periods, and experiences over other cultures, time periods, and experiences.

(3) Develop guidance, tools, and support for professional learning on how to locate and utilize resources for non-dominant cultural narratives and sources

of historical information.

(c) The Commission shall consist of all of the following members:

(1) One Representative appointed by the Speaker of the House of Representatives.

(2) One Representative appointed by the Minority Leader of the House of Representatives.

(3) One Senator appointed by the President of the Senate.

(4) One Senator appointed by the Minority Leader of the Senate.

(5) Two members who are history scholars appointed by the State Superintendent of Education.

(6) Eight members who are teachers at schools in this State recommended by professional teachers' organizations and appointed by the State Superintendent of Education.

(7) One representative of the State Board of Education appointed by the State Superintendent of Education who shall serve as chairperson.

(8) One member who represents a statewide organization that represents south suburban school districts appointed by the State Superintendent of Education.

(9) One member who represents a west suburban school district appointed by the State Superintendent of Education.

(10) One member who represents a school district

organized under Article 34 appointed by the State Superintendent of Education.

(11) One member who represents a statewide organization that represents school librarians appointed by the State Superintendent of Education.

(12) One member who represents a statewide organization that represents principals appointed by the State Superintendent of Education.

(13) One member who represents a statewide organization that represents superintendents appointed by the State Superintendent of Education.

(14) One member who represents a statewide organization that represents school boards appointed by the State Superintendent of Education.

Members appointed to the Commission must reflect the racial, ethnic, and geographic diversity of this State.

(d) Members of the Commission shall serve without compensation but may be reimbursed for reasonable expenses from funds appropriated to the State Board of Education for that purpose, including travel, subject to the rules of the appropriate travel control board.

(e) The State Board of Education shall provide administrative and other support to the Commission.

(f) The Commission must submit a report about its work to the State Board of Education, the Governor, and the General Assembly on or before February 28, 2022 ~~December 31, 2021~~. The

Commission is dissolved upon the submission of its report.

(g) This Section is repealed on January 1, 2023.

(Source: P.A. 101-654, eff. 3-8-21.)

(Text of Section after amendment by P.A. 102-209)

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

Sec. 2-3.187. Inclusive American History Commission.

(a) The Inclusive American History Commission is created to provide assistance to the State Board of Education in revising its social science learning standards under subsection (a-5) of Section 2-3.25, including social science learning standards for students enrolled in pre-kindergarten.

(b) The State Board of Education shall convene the Inclusive American History Commission to do all of the following:

(1) Review available resources for use in school districts that reflect the racial and ethnic diversity of this State and country. The resources identified by the Commission may be posted on the State Board of Education's Internet website.

(2) Provide guidance for each learning standard developed for educators on how to ensure that instruction and content are not biased to value specific cultures, time periods, and experiences over other cultures, time periods, and experiences.

(3) Develop guidance, tools, and support for

professional learning on how to locate and utilize resources for non-dominant cultural narratives and sources of historical information.

(c) The Commission shall consist of all of the following members:

(1) One Representative appointed by the Speaker of the House of Representatives.

(2) One Representative appointed by the Minority Leader of the House of Representatives.

(3) One Senator appointed by the President of the Senate.

(4) One Senator appointed by the Minority Leader of the Senate.

(5) Two members who are history scholars appointed by the State Superintendent of Education.

(6) Eight members who are teachers at schools in this State recommended by professional teachers' organizations and appointed by the State Superintendent of Education.

(7) One representative of the State Board of Education appointed by the State Superintendent of Education who shall serve as chairperson.

(8) One member who represents an organization that represents south suburban school districts appointed by the State Superintendent of Education.

(9) One member who represents a west suburban school district appointed by the State Superintendent of

Education.

(10) One member who represents a school district organized under Article 34 appointed by the State Superintendent of Education.

(11) One member who represents a statewide organization that represents school librarians appointed by the State Superintendent of Education.

(12) One member who represents a statewide organization that represents principals appointed by the State Superintendent of Education.

(13) One member who represents a statewide organization that represents superintendents appointed by the State Superintendent of Education.

(14) One member who represents a statewide organization that represents school boards appointed by the State Superintendent of Education.

Members appointed to the Commission must reflect the racial, ethnic, and geographic diversity of this State.

(d) Members of the Commission shall serve without compensation but may be reimbursed for reasonable expenses from funds appropriated to the State Board of Education for that purpose, including travel, subject to the rules of the appropriate travel control board.

(e) The State Board of Education shall provide administrative and other support to the Commission.

(f) The Commission must submit a report about its work to

the State Board of Education, the Governor, and the General Assembly on or before February 28, 2022 ~~December 31, 2021~~. The Commission is dissolved upon the submission of its report.

(g) This Section is repealed on January 1, 2023.

(Source: P.A. 101-654, eff. 3-8-21; 102-209, eff. 1-1-22.)

(105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

Sec. 17-2A. Interfund transfers.

(a) The school board of any district having a population of less than 500,000 inhabitants may, by proper resolution following a public hearing set by the school board or the president of the school board (that is preceded (i) by at least one published notice over the name of the clerk or secretary of the board, occurring at least 7 days and not more than 30 days prior to the hearing, in a newspaper of general circulation within the school district and (ii) by posted notice over the name of the clerk or secretary of the board, at least 48 hours before the hearing, at the principal office of the school board or at the building where the hearing is to be held if a principal office does not exist, with both notices setting forth the time, date, place, and subject matter of the hearing), transfer money from (1) the Educational Fund to the Operations and Maintenance Fund or the Transportation Fund, (2) the Operations and Maintenance Fund to the Educational Fund or the Transportation Fund, (3) the Transportation Fund to the Educational Fund or the Operations and Maintenance

Fund, or (4) the Tort Immunity Fund to the Operations and Maintenance Fund of said district, provided that, except during the period from July 1, 2003 through June 30, 2024 ~~2021~~, such transfer is made solely for the purpose of meeting one-time, non-recurring expenses. Except during the period from July 1, 2003 through June 30, 2024 ~~2021~~ and except as otherwise provided in subsection (b) of this Section, any other permanent interfund transfers authorized by any provision or judicial interpretation of this Code for which the transferee fund is not precisely and specifically set forth in the provision of this Code authorizing such transfer shall be made to the fund of the school district most in need of the funds being transferred, as determined by resolution of the school board.

(b) (Blank).

(c) Notwithstanding subsection (a) of this Section or any other provision of this Code to the contrary, the school board of any school district (i) that is subject to the Property Tax Extension Limitation Law, (ii) that is an elementary district servicing students in grades K through 8, (iii) whose territory is in one county, (iv) that is eligible for Section 7002 Federal Impact Aid, and (v) that has no more than $81,000 in funds remaining from refinancing bonds that were refinanced a minimum of 5 years prior to January 20, 2017 (the effective date of Public Act 99-926) may make a one-time transfer of the funds remaining from the refinancing bonds to the Operations

and Maintenance Fund of the district by proper resolution following a public hearing set by the school board or the president of the school board, with notice as provided in subsection (a) of this Section, so long as the district meets the qualifications set forth in this subsection (c) on January 20, 2017 (the effective date of Public Act 99-926).

(d) Notwithstanding subsection (a) of this Section or any other provision of this Code to the contrary, the school board of any school district (i) that is subject to the Property Tax Extension Limitation Law, (ii) that is a community unit school district servicing students in grades K through 12, (iii) whose territory is in one county, (iv) that owns property designated by the United States as a Superfund site pursuant to the federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and (v) that has an excess accumulation of funds in its bond fund, including funds accumulated prior to July 1, 2000, may make a one-time transfer of those excess funds accumulated prior to July 1, 2000 to the Operations and Maintenance Fund of the district by proper resolution following a public hearing set by the school board or the president of the school board, with notice as provided in subsection (a) of this Section, so long as the district meets the qualifications set forth in this subsection (d) on August 4, 2017 (the effective date of Public Act 100-32).

(Source: P.A. 100-32, eff. 8-4-17; 100-465, eff. 8-31-17;

100-863, eff. 8-14-18; 101-643, eff. 6-18-20.)

(105 ILCS 5/22-90)

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

Sec. 22-90. Whole Child Task Force.

(a) The General Assembly makes all of the following findings:

(1) The COVID-19 pandemic has exposed systemic inequities in American society. Students, educators, and families throughout this State have been deeply affected by the pandemic, and the impact of the pandemic will be felt for years to come. The negative consequences of the pandemic have impacted students and communities differently along the lines of race, income, language, and special needs. However, students in this State faced significant unmet physical health, mental health, and social and emotional needs even prior to the pandemic.

(2) The path to recovery requires a commitment from adults in this State to address our students cultural, physical, emotional, and mental health needs and to provide them with stronger and increased systemic support and intervention.

(3) It is well documented that trauma and toxic stress diminish a child's ability to thrive. Forms of childhood trauma and toxic stress include adverse childhood experiences, systemic racism, poverty, food and housing

insecurity, and gender-based violence. The COVID-19 pandemic has exacerbated these issues and brought them into focus.

(4) It is estimated that, overall, approximately 40% of children in this State have experienced at least one adverse childhood experience and approximately 10% have experienced 3 or more adverse childhood experiences. However, the number of adverse childhood experiences is higher for Black and Hispanic children who are growing up in poverty. The COVID-19 pandemic has amplified the number of students who have experienced childhood trauma. Also, the COVID-19 pandemic has highlighted preexisting inequities in school disciplinary practices that disproportionately impact Black and Brown students. Research shows, for example, that girls of color are disproportionately impacted by trauma, adversity, and abuse, and instead of receiving the care and trauma-informed support they may need, many Black girls in particular face disproportionately harsh disciplinary measures.

(5) The cumulative effects of trauma and toxic stress adversely impact the physical health of students, as well as their ability to learn, form relationships, and self-regulate. If left unaddressed, these effects increase a student's risk for depression, alcoholism, anxiety, asthma, smoking, and suicide, all of which are risks that

disproportionately affect Black youth and may lead to a host of medical diseases as an adult. Access to infant and early childhood mental health services is critical to ensure the social and emotional well-being of this State's youngest children, particularly those children who have experienced trauma.

(6) Although this State enacted measures through Public Act 100-105 to address the high rate of early care and preschool expulsions of infants, toddlers, and preschoolers and the disproportionately higher rate of expulsion for Black and Hispanic children, a recent study found a wide variation in the awareness, understanding, and compliance with the law by providers of early childhood care. Further work is needed to implement the law, which includes providing training to early childhood care providers to increase their understanding of the law, increasing the availability and access to infant and early childhood mental health services, and building aligned data collection systems to better understand expulsion rates and to allow for accurate reporting as required by the law.

(7) Many educators and schools in this State have embraced and implemented evidenced-based restorative justice and trauma-responsive and culturally relevant practices and interventions. However, the use of these interventions on students is often isolated or is

implemented occasionally and only if the school has the appropriate leadership, resources, and partners available to engage seriously in this work. It would be malpractice to deny our students access to these practices and interventions, especially in the aftermath of a once-in-a-century pandemic.

(b) The Whole Child Task Force is created for the purpose of establishing an equitable, inclusive, safe, and supportive environment in all schools for every student in this State. The task force shall have all of the following goals, which means key steps have to be taken to ensure that every child in every school in this State has access to teachers, social workers, school leaders, support personnel, and others who have been trained in evidenced-based interventions and restorative practices:

(1) To create a common definition of a trauma-responsive school, a trauma-responsive district, and a trauma-responsive community.

(2) To outline the training and resources required to create and sustain a system of support for trauma-responsive schools, districts, and communities and to identify this State's role in that work, including recommendations concerning options for redirecting resources from school resource officers to classroom-based support.

(3) To identify or develop a process to conduct an

analysis of the organizations that provide training in restorative practices, implicit bias, anti-racism, and trauma-responsive systems, mental health services, and social and emotional services to schools.

(4) To provide recommendations concerning the key data to be collected and reported to ensure that this State has a full and accurate understanding of the progress toward ensuring that all schools, including programs and providers of care to pre-kindergarten children, employ restorative, anti-racist, and trauma-responsive strategies and practices. The data collected must include information relating to the availability of trauma responsive support structures in schools as well as disciplinary practices employed on students in person or through other means, including during remote or blended learning. It should also include information on the use of, and funding for, school resource officers and other similar police personnel in school programs.

(5) To recommend an implementation timeline, including the key roles, responsibilities, and resources to advance this State toward a system in which every school, district, and community is progressing toward becoming trauma-responsive.

(6) To seek input and feedback from stakeholders, including parents, students, and educators, who reflect the diversity of this State.

(c) Members of the Whole Child Task Force shall be appointed by the State Superintendent of Education. Members of this task force must represent the diversity of this State and possess the expertise needed to perform the work required to meet the goals of the task force set forth under subsection (a). Members of the task force shall include all of the following:

(1) One member of a statewide professional teachers' organization.

(2) One member of another statewide professional teachers' organization.

(3) One member who represents a school district serving a community with a population of 500,000 or more.

(4) One member of a statewide organization representing social workers.

(5) One member of an organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices.

(6) One member of another organization that has specific expertise in trauma-responsive school practices and experience in supporting schools in developing trauma-responsive and restorative practices.

(7) One member of a statewide organization that represents school administrators.

(8) One member of a statewide policy organization that

works to build a healthy public education system that prepares all students for a successful college, career, and civic life.

(9) One member of a statewide organization that brings teachers together to identify and address issues critical to student success.

(10) One member of the General Assembly recommended by the President of the Senate.

(11) One member of the General Assembly recommended by the Speaker of the House of Representatives.

(12) One member of the General Assembly recommended by the Minority Leader of the Senate.

(13) One member of the General Assembly recommended by the Minority Leader of the House of Representatives.

(14) One member of a civil rights organization that works actively on issues regarding student support.

(15) One administrator from a school district that has actively worked to develop a system of student support that uses a trauma-informed lens.

(16) One educator from a school district that has actively worked to develop a system of student support that uses a trauma-informed lens.

(17) One member of a youth-led organization.

(18) One member of an organization that has demonstrated expertise in restorative practices.

(19) One member of a coalition of mental health and

school practitioners who assist schools in developing and implementing trauma-informed and restorative strategies and systems.

(20) One member of an organization whose mission is to promote the safety, health, and economic success of children, youth, and families in this State.

(21) One member who works or has worked as a restorative justice coach or disciplinarian.

(22) One member who works or has worked as a social worker.

(23) One member of the State Board of Education.

(24) One member who represents a statewide principals' organization.

(25) One member who represents a statewide organization of school boards.

(26) One member who has expertise in pre-kindergarten education.

(27) One member who represents a school social worker association.

(28) One member who represents an organization that represents school districts in both the south suburbs and collar counties.

(29) One member who is a licensed clinical psychologist who (A) has a doctor of philosophy in the field of clinical psychology and has an appointment at an independent free-standing children's hospital located in

Chicago, (B) serves as associate professor at a medical school located in Chicago, and (C) serves as the clinical director of a coalition of voluntary collaboration of organizations that are committed to applying a trauma lens to their efforts on behalf of families and children in the State.

(30) One member who represents a west suburban school district.

(d) The Whole Child Task Force shall meet at the call of the State Superintendent of Education or his or her designee, who shall serve as as the chairperson. The State Board of Education shall provide administrative and other support to the task force. Members of the task force shall serve without compensation.

(e) The Whole Child Task Force shall submit a report of its findings and recommendations to the General Assembly, the Illinois Legislative Black Caucus, the State Board of Education, and the Governor on or before March 15, 2022 ~~February 1, 2022~~. Upon submitting its report, the task force is dissolved.

(f) This Section is repealed on February 1, 2023.

(Source: P.A. 101-654, eff. 3-8-21.)

Section 65. The University of Illinois Hospital Act is amended by changing Section 8d as follows:

(110 ILCS 330/8d)

(Section scheduled to be repealed on December 31, 2021)

Sec. 8d. N95 masks. Pursuant to and in accordance with applicable local, State, and federal policies, guidance and recommendations of public health and infection control authorities, and taking into consideration the limitations on access to N95 masks caused by disruptions in local, State, national, and international supply chains, the University of Illinois Hospital shall provide N95 masks to physicians licensed under the Medical Practice Act of 1987, registered nurses and advanced practice registered nurses licensed under the Nurse Licensing Act, and any other employees or contractual workers who provide direct patient care and who, pursuant to such policies, guidance, and recommendations, are recommended to have such a mask to safely provide such direct patient care within a hospital setting. Nothing in this Section shall be construed to impose any new duty or obligation on the University of Illinois Hospital or employee that is greater than that imposed under State and federal laws in effect on the effective date of this amendatory Act of the 102nd General Assembly.

This Section is repealed on July 1, 2022 ~~December 31, 2021~~.

(Source: P.A. 102-4, eff. 4-27-21.)

Section 66. If and only if House Bill 3666 of the 102nd

General Assembly becomes law (as amended by Senate Amendment No. 6), the Energy Assistance Act is amended by changing Section 13 as follows:

(305 ILCS 20/13)

(Text of Section from P.A. 102-16)

(Section scheduled to be repealed on January 1, 2025)

Sec. 13. Supplemental Low-Income Energy Assistance Fund.

(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. Notwithstanding any other law to the contrary, the Supplemental Low-Income Energy Assistance Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the Supplemental Low-Income Energy Assistance Fund into any other fund of the State. The Supplemental Low-Income Energy Assistance Fund is authorized to receive moneys from voluntary donations from individuals, foundations, corporations, and other sources, moneys received pursuant to Section 17, and, by statutory deposit, the moneys collected pursuant to this Section. The Fund is also authorized to receive voluntary donations from individuals, foundations, corporations, and other sources. Subject to appropriation, the Department shall use moneys from the Supplemental Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric

cooperatives on behalf of their customers who are participants in the program authorized by Sections 4 and 18 of this Act, for the provision of weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. All other deposits outside of the Energy Assistance Charge as set forth in subsection (b) are not subject to the percentage restrictions related to administrative and weatherization expenses provided in this subsection. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section, except when unspent funds from the Supplemental Low-Income Energy Assistance Fund are reallocated from a previous year; any unspent balance of the 10% weatherization allowance may be utilized for weatherization expenses in the year they are reallocated. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 13% of the amount collected during that year pursuant to this Section, except when unspent funds from the Supplemental Low-Income Energy Assistance Fund are reallocated from a previous year; any unspent balance of the 13% administrative allowance may be utilized for administrative expenses in the year they are reallocated. Of the 13% administrative allowance, no less than 8% shall be provided to Local Administrative Agencies for administrative expenses.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this

Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 2021 ~~2022~~, assess each of its customer accounts a monthly Energy Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

(1) Base Energy Assistance Charge per month on each account for residential electrical service;

(2) Base Energy Assistance Charge per month on each account for residential gas service;

(3) Ten times the Base Energy Assistance Charge per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;

(4) Ten times the Base Energy Assistance Charge per month on each account for non-residential gas service which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;

(5) Three hundred and seventy-five times the Base Energy Assistance Charge per month on each account for

non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and

(6) Three hundred and seventy-five times the Base Energy Assistance Charge per month on each account For non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

The Base Energy Assistance Charge shall be $0.48 per month for the calendar year beginning January 1, 2022 and shall increase by $0.16 per month for any calendar year, provided no less than 80% of the previous State fiscal year's available Supplemental Low-Income Energy Assistance Fund funding was exhausted. The maximum Base Energy Assistance Charge shall not exceed $0.96 per month for any calendar year.

The incremental change to such charges imposed by Public Act 99-933 and this amendatory Act of the 102nd General Assembly shall not (i) be used for any purpose other than to directly assist customers and (ii) be applicable to utilities serving less than 100,000 customers in Illinois on January 1, 2021. The incremental change to such charges imposed by this amendatory Act of the 102nd General Assembly are intended to increase utilization of the Percentage of Income Payment Plan (PIPP or PIP Plan) and shall be applied such that PIP Plan enrollment is at least doubled, as compared to 2020 enrollment, by 2024.

In addition, electric and gas utilities have committed, and shall contribute, a one-time payment of $22 million to the Fund, within 10 days after the effective date of the tariffs established pursuant to Sections 16-111.8 and 19-145 of the Public Utilities Act to be used for the Department's cost of implementing the programs described in Section 18 of this amendatory Act of the 96th General Assembly, the Arrearage Reduction Program described in Section 18, and the programs described in Section 8-105 of the Public Utilities Act. If a utility elects not to file a rider within 90 days after the effective date of this amendatory Act of the 96th General Assembly, then the contribution from such utility shall be made no later than February 1, 2010.

(c) For purposes of this Section:

(1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(2) "residential gas service" means gas utility service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed

under a residential rate and is registered by a separate meter for each dwelling unit;

(3) "non-residential electric service" means electric utility service which is not residential electric service; and

(4) "non-residential gas service" means gas utility service which is not residential gas service.

(d) Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs, which shall become effective no later than the beginning of the first billing cycle following such filing.

(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of Revenue all moneys received as payment of the Energy Assistance Charge on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require; provided, however, that a utility offering an

Arrearage Reduction Program or Supplemental Arrearage Reduction Program pursuant to Section 18 of this Act shall be entitled to net those amounts necessary to fund and recover the costs of such Programs as authorized by that Section that is no more than the incremental change in such Energy Assistance Charge authorized by Public Act 96-33. If a customer makes a partial payment, a public utility, municipal utility, or electric cooperative may elect either: (i) to apply such partial payments first to amounts owed to the utility or cooperative for its services and then to payment for the Energy Assistance Charge or (ii) to apply such partial payments on a pro-rata basis between amounts owed to the utility or cooperative for its services and to payment for the Energy Assistance Charge.

If any payment provided for in this Section exceeds the distributor's liabilities under this Act, as shown on an original return, the Department may authorize the distributor to credit such excess payment against liability subsequently to be remitted to the Department under this Act, in accordance with reasonable rules adopted by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the distributor, the distributor's discount shall be reduced by an amount equal to the difference between the discount as applied to the credit taken and that actually due, and that distributor shall be liable for penalties and interest on such difference.

(g) The Department of Revenue shall deposit into the Supplemental Low-Income Energy Assistance Fund all moneys remitted to it in accordance with subsection (f) of this Section. The utilities shall coordinate with the Department to establish an equitable and practical methodology for implementing this subsection (g) beginning with the 2010 program year.

(h) On or before December 31, 2002, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated from the Low-Income Energy Assistance Block Grant Fund for the program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it deems necessary to implement this Section.

(j) The Department of Commerce and Economic Opportunity may establish such rules as it deems necessary to implement this Section.

(k) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas utility or an electric cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric cooperative shall inform the Department of Revenue in writing of such

decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas cooperative does not assess this charge, the Department may not use funds from the Supplemental Low-Income Energy Assistance Fund to provide benefits to its customers under the program authorized by Section 4 of this Act.

In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed on January 1, 2025 unless renewed by action of the General Assembly.

(Source: P.A. 102-16, eff. 6-17-21; 10200HB3666sam006.)

(Text of Section from P.A. 102-176)

(Section scheduled to be repealed on January 1, 2025)

Sec. 13. Supplemental Low-Income Energy Assistance Fund.

(a) The Supplemental Low-Income Energy Assistance Fund is hereby created as a special fund in the State Treasury. The Supplemental Low-Income Energy Assistance Fund is authorized to receive moneys from voluntary donations from individuals, foundations, corporations, and other sources, moneys received pursuant to Section 17, and, by statutory deposit, the moneys collected pursuant to this Section. The Fund is also authorized to receive voluntary donations from individuals, foundations, corporations, and other sources. Subject to

appropriation, the Department shall use moneys from the Supplemental Low-Income Energy Assistance Fund for payments to electric or gas public utilities, municipal electric or gas utilities, and electric cooperatives on behalf of their customers who are participants in the program authorized by Sections 4 and 18 of this Act, for the provision of weatherization services and for administration of the Supplemental Low-Income Energy Assistance Fund. All other deposits outside of the Energy Assistance Charge as set forth in subsection (b) are not subject to the percentage restrictions related to administrative and weatherization expenses provided in this subsection. The yearly expenditures for weatherization may not exceed 10% of the amount collected during the year pursuant to this Section, except when unspent funds from the Supplemental Low-Income Energy Assistance Fund are reallocated from a previous year; any unspent balance of the 10% weatherization allowance may be utilized for weatherization expenses in the year they are reallocated. The yearly administrative expenses of the Supplemental Low-Income Energy Assistance Fund may not exceed 13% of the amount collected during that year pursuant to this Section, except when unspent funds from the Supplemental Low-Income Energy Assistance Fund are reallocated from a previous year; any unspent balance of the 13% administrative allowance may be utilized for administrative expenses in the year they are reallocated. Of the 13% administrative allowance, no less than

8% shall be provided to Local Administrative Agencies for administrative expenses.

(b) Notwithstanding the provisions of Section 16-111 of the Public Utilities Act but subject to subsection (k) of this Section, each public utility, electric cooperative, as defined in Section 3.4 of the Electric Supplier Act, and municipal utility, as referenced in Section 3-105 of the Public Utilities Act, that is engaged in the delivery of electricity or the distribution of natural gas within the State of Illinois shall, effective January 1, 2021 ~~2022~~, assess each of its customer accounts a monthly Energy Assistance Charge for the Supplemental Low-Income Energy Assistance Fund. The delivering public utility, municipal electric or gas utility, or electric or gas cooperative for a self-assessing purchaser remains subject to the collection of the fee imposed by this Section. The monthly charge shall be as follows:

(1) Base Energy Assistance Charge per month on each account for residential electrical service;

(2) Base Energy Assistance Charge per month on each account for residential gas service;

(3) Ten times the Base Energy Assistance Charge per month on each account for non-residential electric service which had less than 10 megawatts of peak demand during the previous calendar year;

(4) Ten times the Base Energy Assistance Charge per month on each account for non-residential gas service

which had distributed to it less than 4,000,000 therms of gas during the previous calendar year;

(5) Three hundred and seventy-five times the Base Energy Assistance Charge per month on each account for non-residential electric service which had 10 megawatts or greater of peak demand during the previous calendar year; and

(6) Three hundred and seventy-five times the Base Energy Assistance Charge per month on each account for non-residential gas service which had 4,000,000 or more therms of gas distributed to it during the previous calendar year.

The Base Energy Assistance Charge shall be $0.48 per month for the calendar year beginning January 1, 2022 and shall increase by $0.16 per month for any calendar year, provided no less than 80% of the previous State fiscal year's available Supplemental Low-Income Energy Assistance Fund funding was exhausted. The maximum Base Energy Assistance Charge shall not exceed $0.96 per month for any calendar year.

The incremental change to such charges imposed by Public Act 99-933 and this amendatory Act of the 102nd General Assembly shall not (i) be used for any purpose other than to directly assist customers and (ii) be applicable to utilities serving less than 100,000 customers in Illinois on January 1, 2021. The incremental change to such charges imposed by this amendatory Act of the 102nd General Assembly are intended to

increase utilization of the Percentage of Income Payment Plan (PIPP or PIP Plan) and shall be applied such that PIP Plan enrollment is at least doubled, as compared to 2020 enrollment, by 2024.

In addition, electric and gas utilities have committed, and shall contribute, a one-time payment of $22 million to the Fund, within 10 days after the effective date of the tariffs established pursuant to Sections 16-111.8 and 19-145 of the Public Utilities Act to be used for the Department's cost of implementing the programs described in Section 18 of this amendatory Act of the 96th General Assembly, the Arrearage Reduction Program described in Section 18, and the programs described in Section 8-105 of the Public Utilities Act. If a utility elects not to file a rider within 90 days after the effective date of this amendatory Act of the 96th General Assembly, then the contribution from such utility shall be made no later than February 1, 2010.

(c) For purposes of this Section:

(1) "residential electric service" means electric utility service for household purposes delivered to a dwelling of 2 or fewer units which is billed under a residential rate, or electric utility service for household purposes delivered to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(2) "residential gas service" means gas utility

service for household purposes distributed to a dwelling of 2 or fewer units which is billed under a residential rate, or gas utility service for household purposes distributed to a dwelling unit or units which is billed under a residential rate and is registered by a separate meter for each dwelling unit;

(3) "non-residential electric service" means electric utility service which is not residential electric service; and

(4) "non-residential gas service" means gas utility service which is not residential gas service.

(d) Within 30 days after the effective date of this amendatory Act of the 96th General Assembly, each public utility engaged in the delivery of electricity or the distribution of natural gas shall file with the Illinois Commerce Commission tariffs incorporating the Energy Assistance Charge in other charges stated in such tariffs, which shall become effective no later than the beginning of the first billing cycle following such filing.

(e) The Energy Assistance Charge assessed by electric and gas public utilities shall be considered a charge for public utility service.

(f) By the 20th day of the month following the month in which the charges imposed by the Section were collected, each public utility, municipal utility, and electric cooperative shall remit to the Department of Revenue all moneys received

as payment of the Energy Assistance Charge on a return prescribed and furnished by the Department of Revenue showing such information as the Department of Revenue may reasonably require; provided, however, that a utility offering an Arrearage Reduction Program or Supplemental Arrearage Reduction Program pursuant to Section 18 of this Act shall be entitled to net those amounts necessary to fund and recover the costs of such Programs as authorized by that Section that is no more than the incremental change in such Energy Assistance Charge authorized by Public Act 96-33. If a customer makes a partial payment, a public utility, municipal utility, or electric cooperative may elect either: (i) to apply such partial payments first to amounts owed to the utility or cooperative for its services and then to payment for the Energy Assistance Charge or (ii) to apply such partial payments on a pro-rata basis between amounts owed to the utility or cooperative for its services and to payment for the Energy Assistance Charge.

If any payment provided for in this Section exceeds the distributor's liabilities under this Act, as shown on an original return, the Department may authorize the distributor to credit such excess payment against liability subsequently to be remitted to the Department under this Act, in accordance with reasonable rules adopted by the Department. If the Department subsequently determines that all or any part of the credit taken was not actually due to the distributor, the

distributor's discount shall be reduced by an amount equal to the difference between the discount as applied to the credit taken and that actually due, and that distributor shall be liable for penalties and interest on such difference.

(g) The Department of Revenue shall deposit into the Supplemental Low-Income Energy Assistance Fund all moneys remitted to it in accordance with subsection (f) of this Section. The utilities shall coordinate with the Department to establish an equitable and practical methodology for implementing this subsection (g) beginning with the 2010 program year.

(h) On or before December 31, 2002, the Department shall prepare a report for the General Assembly on the expenditure of funds appropriated from the Low-Income Energy Assistance Block Grant Fund for the program authorized under Section 4 of this Act.

(i) The Department of Revenue may establish such rules as it deems necessary to implement this Section.

(j) The Department of Commerce and Economic Opportunity may establish such rules as it deems necessary to implement this Section.

(k) The charges imposed by this Section shall only apply to customers of municipal electric or gas utilities and electric or gas cooperatives if the municipal electric or gas utility or electric or gas cooperative makes an affirmative decision to impose the charge. If a municipal electric or gas

utility or an electric cooperative makes an affirmative decision to impose the charge provided by this Section, the municipal electric or gas utility or electric cooperative shall inform the Department of Revenue in writing of such decision when it begins to impose the charge. If a municipal electric or gas utility or electric or gas cooperative does not assess this charge, the Department may not use funds from the Supplemental Low-Income Energy Assistance Fund to provide benefits to its customers under the program authorized by Section 4 of this Act.

In its use of federal funds under this Act, the Department may not cause a disproportionate share of those federal funds to benefit customers of systems which do not assess the charge provided by this Section.

This Section is repealed on January 1, 2025 unless renewed by action of the General Assembly.

(Source: P.A. 102-176, eff. 6-1-22.; 10200HB3666sam006.)

Section 70. The Intergenerational Poverty Act is amended by changing Sections 95-502 and 95-503 as follows:

(305 ILCS 70/95-502)

Sec. 95-502. Strategic plan to address poverty and economic insecurity.

(a) Plan required. No later than March 31, 2022 ~~November 30, 2021~~, the Commission shall develop and adopt a strategic

plan to address poverty and economic insecurity in this State.

(b) Goals. The goals of the strategic plan shall be to:

(1) Ensure that State programs and services targeting poverty and economic insecurity reflect the goal of helping individuals and families rise above poverty and achieve long-term economic stability rather than simply providing relief from deprivation.

(2) Eliminate disparate rates of poverty, deep poverty, child poverty, and intergenerational poverty based on race, ethnicity, gender, age, sexual orientation or identity, English language proficiency, ability, and geographic location in a rural, urban, or suburban area.

(3) Reduce deep poverty in this State by 50% by 2026.

(4) Eliminate child poverty in this State by 2031.

(5) Eliminate all poverty in this State by 2036.

(c) Plan development. In developing the strategic plan, the Commission shall:

(1) Collaborate with the workgroup, including sharing data and information identified under paragraphs (1) and (3) of subsection (a) of Section 95-303 and analyses of that data and information.

(2) Review each program and service provided by the State that targets poverty and economic insecurity for purposes of:

(i) determining which programs and services are the most effective and of the highest importance in

reducing poverty and economic insecurity in this State; and

(ii) providing an analysis of unmet needs, if any, among individuals, children, and families in deep poverty and intergenerational poverty for each program and service identified under subparagraph (i).

(3) Study the feasibility of using public or private partnerships and social impact bonds, to improve innovation and cost-effectiveness in the development of programs and delivery of services that advance the goals of the strategic plan.

(4) Hold at least 6 public hearings in different geographic regions of this State, including areas that have disparate rates of poverty and that have historically experienced economic insecurity, to collect information, take testimony, and solicit input and feedback from interested parties, including members of the public who have personal experiences with State programs and services targeting economic insecurity, poverty, deep poverty, child poverty, and intergenerational poverty and make the information publicly available.

(5) To request and receive from a State agency or local governmental agency information relating to poverty in this State, including all of the following:

(i) Reports.

(ii) Audits.

(iii) Data.

(iv) Projections.

(v) Statistics.

(d) Subject areas. The strategic plan shall address all of the following:

(1) Access to safe and affordable housing.

(2) Access to adequate food and nutrition.

(3) Access to affordable and quality health care.

(4) Equal access to quality education and training.

(5) Equal access to affordable, quality post-secondary education options.

(6) Dependable and affordable transportation.

(7) Access to quality and affordable child care.

(8) Opportunities to engage in meaningful and sustainable work that pays a living wage and barriers to those opportunities experienced by low-income individuals in poverty.

(9) Equal access to justice through a fair system of criminal justice that does not, in effect, criminalize poverty.

(10) The availability of adequate income supports.

(11) Retirement security.

(e) Plan content. The strategic plan shall, at a minimum, contain policy and fiscal recommendations relating to all of the following:

(1) Developing fact-based measures to evaluate the

long-term effectiveness of existing and proposed programs and services targeting poverty and economic insecurity.

(2) Increasing enrollment in programs and services targeting poverty and economic insecurity by reducing the complexity and difficulty of enrollment in order to maximize program effectiveness and increase positive outcomes.

(3) Increasing the reach of programs and services targeting poverty and economic insecurity by ensuring that State agencies have adequate resources to maximize the public awareness of the programs and services, especially in historically disenfranchised communities.

(4) Reducing the negative impacts of asset limits for eligibility on the effectiveness of State programs targeting poverty and economic insecurity by ensuring that eligibility limits do not:

(i) create gaps in necessary service and benefit delivery or restrict access to benefits as individuals and families attempt to transition off assistance programs; or

(ii) prevent beneficiaries from improving long-term outcomes and achieving long-term economic independence from the program.

(5) Improving the ability of community-based organizations to participate in the development and implementation of State programs designed to address

economic insecurity and poverty.

(6) Improving the ability of individuals living in poverty, low-income individuals, and unemployed individuals to access critical job training and skills upgrade programs and find quality jobs that help children and families become economically secure and rise above poverty.

(7) Improving communication and collaboration between State agencies and local governments on programs targeting poverty and economic insecurity.

(8) Creating efficiencies in the administration and coordination of programs and services targeting poverty and economic insecurity.

(9) Connecting low-income children, disconnected youth, and families of those children and youth to education, job training, and jobs in the communities in which those children and youth live.

(10) Ensuring that the State's services and benefits programs, emergency programs, discretionary economic programs, and other policies are sufficiently funded to enable the State to mount effective responses to economic downturns and increases in economic insecurity and poverty rates.

(11) Creating one or more State poverty measures.

(12) Developing and implementing programs and policies that use the two-generation approach.

(13) Using public or private partnerships and social impact bonds to improve innovation and cost-effectiveness in the development of programs and delivery of services that advance the goals of the strategic plan.

(14) Identifying best practices for collecting data relevant to all of the following:

(i) Reducing economic insecurity and poverty.

(ii) Reducing the racial, ethnic, age, gender, sexual orientation, and sexual identity-based disparities in the rates of economic insecurity and poverty.

(iii) Adequately measuring the effectiveness, efficiency, and impact of programs on the outcomes for individuals, families, and communities who receive benefits and services.

(iv) Streamlining enrollment and eligibility for programs.

(v) Improving long-term outcomes for individuals who are enrolled in service and benefit programs.

(vi) Reducing reliance on public programs.

(vii) Improving connections to work.

(viii) Improving economic security.

(ix) Improving retirement security.

(x) Improving the State's understanding of the impact of extreme weather and natural disasters on economically vulnerable communities and improving

those communities' resilience to and recovery from extreme weather and natural disasters.

(xi) Improving access to living-wage employment.

(xii) Improving access to employment-based benefits.

(f) Other information. In addition to the plan content required under subsection (e), the strategic plan shall contain all of the following:

(1) A suggested timeline for the stages of implementation of the recommendations in the plan.

(2) Short-term, intermediate-term, and long-term benchmarks to measure the State's progress toward meeting the goals of the strategic plan.

(3) A summary of the review and analysis conducted by the Commission under paragraph (1) of subsection (c).

(g) Impact of recommendations. For each recommendation in the plan, the Commission shall identify in measurable terms the actual or potential impact the recommendation will have on poverty and economic insecurity in this State.

(Source: P.A. 101-636, eff. 6-10-20; 102-558, eff. 8-20-21.)

(305 ILCS 70/95-503)

Sec. 95-503. Commission reports.

(a) Interim report. No later than June 30, 2021, the Commission shall issue an interim report on the Commission's activities to the Governor and the General Assembly.

(b) Report on strategic plan. Upon the Commission's adoption of the strategic plan, but no later than March 31, 2022 ~~November 30, 2021~~, the Commission shall issue a report containing a summary of the Commission's activities and the contents of the strategic plan. The Commission shall submit the report to the Governor and each member of the General Assembly.

(c) Annual reports. Beginning March 31, 2022 ~~November 30, 2022~~, and each year thereafter, the Commission shall issue a report on the status of the implementation of the Commission's strategic plan. The report may contain any other recommendations of the Commission to address poverty and economic insecurity in this State.

(Source: P.A. 101-636, eff. 6-10-20.)

Section 75. The Rare Disease Commission Act is amended by changing Sections 15 and 90 as follows:

(410 ILCS 445/15)

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

Sec. 15. Study; recommendations. The Commission shall make recommendations to the General Assembly, in the form of an annual report through 2026 ~~2023~~, regarding:

(1) the use of prescription drugs and innovative therapies for children and adults with rare diseases, and specific subpopulations of children or adults with rare

diseases, as appropriate, together with recommendations on the ways in which this information should be used in specific State programs that (A) provide assistance or health care coverage to individuals with rare diseases or broader populations that include individuals with rare diseases, or (B) have responsibilities associated with promoting the quality of care for individuals with rare diseases or broader populations that include individuals with rare diseases;

(2) legislation that could improve the care and treatment of adults or children with rare diseases;

(3) in coordination with the Genetic and Metabolic Diseases Advisory Committee, the screening of newborn children for the presence of genetic disorders; and

(4) any other issues the Commission considers appropriate.

The Commission shall submit its annual report to the General Assembly no later than December 31 of each year.

(Source: P.A. 101-606, eff. 12-13-19.)

(410 ILCS 445/90)

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

Sec. 90. Repeal. This Act is repealed on January 1, 2027 ~~2023~~.

(Source: P.A. 101-606, eff. 12-13-19.)

Section 80. The Farmer Equity Act is amended by changing Section 25 as follows:

(505 ILCS 72/25)

Sec. 25. Disparity study; report.

(a) The Department shall conduct a study and use the data collected to determine economic and other disparities associated with farm ownership and farm operations in this State. The study shall focus primarily on identifying and comparing economic, land ownership, education, and other related differences between African American farmers and white farmers, but may include data collected in regards to farmers from other socially disadvantaged groups. The study shall collect, compare, and analyze data relating to disparities or differences in farm operations for the following areas:

(1) Farm ownership and the size or acreage of the farmland owned compared to the number of farmers who are farm tenants.

(2) The distribution of farm-related generated income and wealth.

(3) The accessibility and availability to grants, loans, commodity subsidies, and other financial assistance.

(4) Access to technical assistance programs and mechanization.

(5) Participation in continuing education, outreach,

or other agriculturally related services or programs.

(6) Interest in farming by young or beginning farmers.

(b) The Department shall submit a report of study to the Governor and General Assembly on or before December 31, 2022 ~~January 1, 2022~~. The report shall be made available on the Department's Internet website.

(c) This Section is repealed on January 1, 2024.

(Source: P.A. 101-658, eff. 3-23-21.)

Section 85. The Mechanics Lien Act is amended by changing Section 34.5 as follows:

(770 ILCS 60/34.5)

(Section scheduled to be repealed on January 1, 2022)

Sec. 34.5. Mechanics lien administrative adjudication.

(a) Notwithstanding any other provision in this Act, a county's code hearing unit may adjudicate the validity of a mechanics lien under Section 3-5010.8 of the Counties Code. If the recorder shows by clear and convincing evidence that the lien being adjudicated is an expired lien, the administrative law judge shall rule the lien is forfeited under this Act and that the lien no longer affects the chain of title of the property in any way.

(b) This Section is repealed on January 1, 2024 ~~2022~~.

(Source: P.A. 100-1061, eff. 1-1-19.)

Section 90. The Unemployment Insurance Act is amended by changing Sections 401, 403, 1502.4, 1505, and 1506.6 as follows:

(820 ILCS 405/401) (from Ch. 48, par. 401)

Sec. 401. Weekly Benefit Amount - Dependents' Allowances.

A. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's weekly benefit amount shall be an amount equal to the weekly benefit amount as defined in the provisions of this Act as amended and in effect on November 18, 2011.

B. 1. With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual's weekly benefit amount shall be 48% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than $51. Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, an individual's weekly benefit amount shall be 47% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than $51. With respect to any benefit year beginning <u>on or after July 3, 2022</u>

~~in calendar year 2022~~, an individual's weekly benefit amount shall be 42.4% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; provided, however, that the weekly benefit amount cannot exceed the maximum weekly benefit amount and cannot be less than $51.

2. For the purposes of this subsection:

An individual's "prior average weekly wage" means the total wages for insured work paid to that individual during the 2 calendar quarters of his base period in which such total wages were highest, divided by 26. If the quotient is not already a multiple of one dollar, it shall be rounded to the nearest dollar; however if the quotient is equally near 2 multiples of one dollar, it shall be rounded to the higher multiple of one dollar.

"Determination date" means June 1 and December 1 of each calendar year except that, for the purposes of this Act only, there shall be no June 1 determination date in any year.

"Determination period" means, with respect to each June 1 determination date, the 12 consecutive calendar months ending on the immediately preceding December 31 and, with respect to each December 1 determination date, the 12 consecutive calendar months ending on the immediately preceding June 30.

"Benefit period" means the 12 consecutive calendar month period beginning on the first day of the first calendar month immediately following a determination date, except that, with

respect to any calendar year in which there is a June 1 determination date, "benefit period" shall mean the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the preceding December 1 determination date and the 6 consecutive calendar month period beginning on the first day of the first calendar month immediately following the June 1 determination date.

"Gross wages" means all the wages paid to individuals during the determination period immediately preceding a determination date for insured work, and reported to the Director by employers prior to the first day of the third calendar month preceding that date.

"Covered employment" for any calendar month means the total number of individuals, as determined by the Director, engaged in insured work at mid-month.

"Average monthly covered employment" means one-twelfth of the sum of the covered employment for the 12 months of a determination period.

"Statewide average annual wage" means the quotient, obtained by dividing gross wages by average monthly covered employment for the same determination period, rounded (if not already a multiple of one cent) to the nearest cent.

"Statewide average weekly wage" means the quotient, obtained by dividing the statewide average annual wage by 52, rounded (if not already a multiple of one cent) to the nearest

cent. Notwithstanding any provision of this Section to the contrary, the statewide average weekly wage for any benefit period prior to calendar year 2012 shall be as determined by the provisions of this Act as amended and in effect on November 18, 2011. Notwithstanding any provisions of this Section to the contrary, the statewide average weekly wage for the benefit period of calendar year 2012 shall be $856.55 and for each calendar year thereafter, the statewide average weekly wage shall be the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period plus (or minus) an amount equal to the percentage change in the statewide average weekly wage, as computed in accordance with the first sentence of this paragraph, between the 2 immediately preceding benefit periods, multiplied by the statewide average weekly wage, as determined in accordance with this sentence, for the immediately preceding benefit period. However, for purposes of the Workers' Compensation Act, the statewide average weekly wage will be computed using June 1 and December 1 determination dates of each calendar year and such determination shall not be subject to the limitation of the statewide average weekly wage as computed in accordance with the preceding sentence of this paragraph.

With respect to any week beginning in a benefit year beginning prior to January 4, 2004, "maximum weekly benefit amount" with respect to each week beginning within a benefit

period shall be as defined in the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 48% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 6, 2008, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 47% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after July 3, 2022 ~~in calendar year 2022~~, "maximum weekly benefit amount" with respect to each week beginning within a benefit period means 42.4% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

C. With respect to any week beginning in a benefit year beginning prior to January 4, 2004, an individual's eligibility for a dependent allowance with respect to a nonworking spouse or one or more dependent children shall be as defined by the provisions of this Act as amended and in effect on November 18, 2011.

With respect to any benefit year beginning on or after January 4, 2004 and before January 6, 2008, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the individual with respect to a week shall not exceed 57% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 17.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after January 6, 2008 and before January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided, that the total amount payable to the

individual with respect to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, 18.2% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed 65.2% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar.

The additional amount paid pursuant to this subsection in the case of an individual with a dependent child or dependent children shall be referred to as the "dependent child allowance", and the percentage rate by which an individual's prior average weekly wage is multiplied pursuant to this subsection to calculate the dependent child allowance shall be referred to as the "dependent child allowance rate".

Except as otherwise provided in this Section, with respect to any benefit year beginning on or after January 1, 2010, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) $15, provided that the total amount payable to the individual with respect

to a week shall not exceed 56% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of $50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 47% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to any benefit year beginning on or after July 3, 2022 ~~in calendar year 2022~~, an individual to whom benefits are payable with respect to any week shall, in addition to those benefits, be paid, with respect to such week, as follows: in the case of an individual with a nonworking spouse, the greater of (i) 9% of his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) $15, provided that the total amount payable to the individual with respect to a week shall not exceed 51.4% of the statewide average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar; and in the case of an individual with a

dependent child or dependent children, the greater of (i) the product of the dependent child allowance rate multiplied by his or her prior average weekly wage, rounded (if not already a multiple of one dollar) to the next higher dollar, or (ii) the lesser of $50 or 50% of his or her weekly benefit amount, rounded (if not already a multiple of one dollar) to the next higher dollar, provided that the total amount payable to the individual with respect to a week shall not exceed the product of the statewide average weekly wage multiplied by the sum of 42.4% plus the dependent child allowance rate, rounded (if not already a multiple of one dollar) to the next higher dollar.

With respect to each benefit year beginning after calendar year 2012, the dependent child allowance rate shall be the sum of the allowance adjustment applicable pursuant to Section 1400.1 to the calendar year in which the benefit year begins, plus the dependent child allowance rate with respect to each benefit year beginning in the immediately preceding calendar year, except as otherwise provided in this subsection. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2010 shall be 17.9%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2011 shall be 17.4%. The dependent child allowance rate with respect to each benefit year beginning in calendar year 2012 shall be 17.0% and, with respect to each benefit year beginning after calendar year 2012, shall not be less than 17.0% or greater than 17.9%.

For the purposes of this subsection:

"Dependent" means a child or a nonworking spouse.

"Child" means a natural child, stepchild, or adopted child of an individual claiming benefits under this Act or a child who is in the custody of any such individual by court order, for whom the individual is supplying and, for at least 90 consecutive days (or for the duration of the parental relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, has supplied more than one-half the cost of support, or has supplied at least 1/4 of the cost of support if the individual and the other parent, together, are supplying and, during the aforesaid period, have supplied more than one-half the cost of support, and are, and were during the aforesaid period, members of the same household; and who, on the first day of such week (a) is under 18 years of age, or (b) is, and has been during the immediately preceding 90 days, unable to work because of illness or other disability: provided, that no person who has been determined to be a child of an individual who has been allowed benefits with respect to a week in the individual's benefit year shall be deemed to be a child of the other parent, and no other person shall be determined to be a child of such other parent, during the remainder of that benefit year.

"Nonworking spouse" means the lawful husband or wife of an individual claiming benefits under this Act, for whom more

than one-half the cost of support has been supplied by the individual for at least 90 consecutive days (or for the duration of the marital relationship if it has existed for less than 90 days) immediately preceding any week with respect to which the individual has filed a claim, but only if the nonworking spouse is currently ineligible to receive benefits under this Act by reason of the provisions of Section 500E.

An individual who was obligated by law to provide for the support of a child or of a nonworking spouse for the aforesaid period of 90 consecutive days, but was prevented by illness or injury from doing so, shall be deemed to have provided more than one-half the cost of supporting the child or nonworking spouse for that period.

(Source: P.A. 100-568, eff. 12-15-17; 101-423, eff. 1-1-20; 101-633, eff. 6-5-20.)

(820 ILCS 405/403) (from Ch. 48, par. 403)

Sec. 403. Maximum total amount of benefits.

A. With respect to any benefit year beginning prior to September 30, 1979, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits as shall be determined in the manner set forth in this Act as amended and in effect on November 9, 1977.

B. With respect to any benefit year beginning on or after September 30, 1979, except as otherwise provided in this Section, any otherwise eligible individual shall be entitled,

during such benefit year, to a maximum total amount of benefits equal to 26 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning in calendar year 2012, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 25 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller. With respect to any benefit year beginning on or after July 3, 2022 ~~in calendar year 2022~~, any otherwise eligible individual shall be entitled, during such benefit year, to a maximum total amount of benefits equal to 24 times his or her weekly benefit amount plus dependents' allowances, or to the total wages for insured work paid to such individual during the individual's base period, whichever amount is smaller.

(Source: P.A. 100-568, eff. 12-15-17; 101-423, eff. 1-1-20.)

(820 ILCS 405/1502.4)

Sec. 1502.4. Benefit charges; COVID-19.

A. With respect to any benefits paid for a week of unemployment that begins on or after March 15, 2020, and before December 31, 2020, and is directly or indirectly

attributable to COVID-19, notwithstanding any other provisions to the contrary an employer that is subject to the payment of contributions shall not be chargeable for any benefit charges.

B. With respect to any regular benefits paid for a week of unemployment that begins on or after March 15, 2020, and before December 31, 2020, and is directly or indirectly attributable to COVID-19, notwithstanding any other provisions to the contrary except subsection E, a nonprofit organization that is subject to making payments in lieu of contributions shall be chargeable for 50% of the benefits paid.

C. With respect to any benefits paid for a week of unemployment that begins on or after March 15, 2020, and before December 31, 2020, and is directly or indirectly attributable to COVID-19, notwithstanding any other provisions to the contrary except subsection E, the State and any local government that is subject to making payments in lieu of contributions shall be chargeable for 50% of the benefits paid, irrespective of whether the State or local government paid the individual who received the benefits wages for insured work during the individual's base period.

D. Subsections A, B, and C shall only apply to the extent that the employer can show that the individual's unemployment for the week was directly or indirectly attributable to COVID-19.

E. No employer shall be chargeable for the week of benefits paid to an individual under the provisions of

subsection D-5 of Section 500 ~~500D-1~~.

(Source: P.A. 101-633, eff. 6-5-20.)

(820 ILCS 405/1505) (from Ch. 48, par. 575)

Sec. 1505. Adjustment of state experience factor. The state experience factor shall be adjusted in accordance with the following provisions:

A. For calendar years prior to 1988, the state experience factor shall be adjusted in accordance with the provisions of this Act as amended and in effect on November 18, 2011.

B. (Blank).

C. For calendar year 1988 and each calendar year thereafter, for which the state experience factor is being determined.

1. For every $50,000,000 (or fraction thereof) by which the adjusted trust fund balance falls below the target balance set forth in this subsection, the state experience factor for the succeeding year shall be increased one percent absolute.

For every $50,000,000 (or fraction thereof) by which the adjusted trust fund balance exceeds the target balance set forth in this subsection, the state experience factor for the succeeding year shall be decreased by one percent absolute.

The target balance in each calendar year prior to 2003 is $750,000,000. The target balance in calendar year 2003

is $920,000,000. The target balance in calendar year 2004 is $960,000,000. The target balance in calendar year 2005 and each calendar year thereafter is $1,000,000,000.

2. For the purposes of this subsection:

"Net trust fund balance" is the amount standing to the credit of this State's account in the unemployment trust fund as of June 30 of the calendar year immediately preceding the year for which a state experience factor is being determined.

"Adjusted trust fund balance" is the net trust fund balance minus the sum of the benefit reserves for fund building for July 1, 1987 through June 30 of the year prior to the year for which the state experience factor is being determined. The adjusted trust fund balance shall not be less than zero. If the preceding calculation results in a number which is less than zero, the amount by which it is less than zero shall reduce the sum of the benefit reserves for fund building for subsequent years.

For the purpose of determining the state experience factor for 1989 and for each calendar year thereafter, the following "benefit reserves for fund building" shall apply for each state experience factor calculation in which that 12 month period is applicable:

a. For the 12 month period ending on June 30, 1988, the "benefit reserve for fund building" shall be 8/104th of the total benefits paid from January 1,

1988 through June 30, 1988.

b. For the 12 month period ending on June 30, 1989, the "benefit reserve for fund building" shall be the sum of:

i. 8/104ths of the total benefits paid from July 1, 1988 through December 31, 1988, plus

ii. 4/108ths of the total benefits paid from January 1, 1989 through June 30, 1989.

c. For the 12 month period ending on June 30, 1990, the "benefit reserve for fund building" shall be 4/108ths of the total benefits paid from July 1, 1989 through December 31, 1989.

d. For 1992 and for each calendar year thereafter, the "benefit reserve for fund building" for the 12 month period ending on June 30, 1991 and for each subsequent 12 month period shall be zero.

3. Notwithstanding the preceding provisions of this subsection, for calendar years 1988 through 2003, the state experience factor shall not be increased or decreased by more than 15 percent absolute.

D. Notwithstanding the provisions of subsection C, the adjusted state experience factor:

1. Shall be 111 percent for calendar year 1988;

2. Shall not be less than 75 percent nor greater than 135 percent for calendar years 1989 through 2003; and shall not be less than 75% nor greater than 150% for

calendar year 2004 and each calendar year thereafter, not counting any increase pursuant to subsection D-1, D-2, or D-3;

3. Shall not be decreased by more than 5 percent absolute for any calendar year, beginning in calendar year 1989 and through calendar year 1992, by more than 6% absolute for calendar years 1993 through 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 12% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor of the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;

4. Shall not be increased by more than 15% absolute for calendar year 1993, by more than 14% absolute for calendar years 1994 and 1995, by more than 10% absolute for calendar years 1999 through 2003 and by more than 16% absolute for calendar year 2004 and each calendar year thereafter, from the adjusted state experience factor for the calendar year preceding the calendar year for which the adjusted state experience factor is being determined;

5. Shall be 100% for calendar years 1996, 1997, and 1998.

D-1. The adjusted state experience factor for each of calendar years 2013 through 2015 shall be increased by 5% absolute above the adjusted state experience factor as

calculated without regard to this subsection. The adjusted state experience factor for each of calendar years 2016 through 2018 shall be increased by 6% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for calendar year 2018 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2019.

D-2. (Blank).

D-3. The adjusted state experience factor for the portion of calendar year 2022 beginning July 3, 2022 shall be increased by 16% absolute above the adjusted state experience factor as calculated without regard to this subsection. The increase in the adjusted state experience factor for the portion of calendar year 2022 beginning July 3, 2022 pursuant to this subsection shall not be counted for purposes of applying paragraph 3 or 4 of subsection D to the calculation of the adjusted state experience factor for calendar year 2023.

E. The amount standing to the credit of this State's account in the unemployment trust fund as of June 30 shall be deemed to include as part thereof (a) any amount receivable on that date from any Federal governmental agency, or as a payment in lieu of contributions under the provisions of Sections 1403 and 1405 B and paragraph 2 of Section 302C, in reimbursement of benefits paid to individuals, and (b) amounts

credited by the Secretary of the Treasury of the United States to this State's account in the unemployment trust fund pursuant to Section 903 of the Federal Social Security Act, as amended, including any such amounts which have been appropriated by the General Assembly in accordance with the provisions of Section 2100 B for expenses of administration, except any amounts which have been obligated on or before that date pursuant to such appropriation.

(Source: P.A. 100-568, eff. 12-15-17; 101-423, eff. 1-1-20; 101-633, eff. 6-5-20.)

(820 ILCS 405/1506.6)

Sec. 1506.6. Surcharge; specified period. For each employer whose contribution rate for calendar year 2022 is determined pursuant to Section 1500 or 1506.1, in addition to the contribution rate established pursuant to Section 1506.3, <u>for the portion of calendar year 2022 beginning July 3, 2022,</u> an additional surcharge of 0.325% shall be added to the contribution rate. The surcharge established by this Section shall be due at the same time as other contributions with respect to the quarter are due, as provided in Section 1400. Payments attributable to the surcharge established pursuant to this Section shall be contributions and deposited into the clearing account.

(Source: P.A. 100-568, eff. 12-15-17; 101-423, eff. 1-1-20; 101-633, eff. 6-5-20.)

Section 995. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 999. Effective date. This Act takes effect upon becoming law, except that Section 66 takes effect upon becoming law or on the date House Bill 3666 of the 102nd General Assembly takes effect, whichever is later.