
# SENATE JOURNAL

## STATE OF ILLINOIS

## ONE HUNDRED THIRD GENERAL ASSEMBLY

## 31ST LEGISLATIVE DAY

## TUESDAY, MARCH 28, 2023

## 12:20 O'CLOCK P.M.

NO. 31
[March 28, 2023]

**SENATE**
**Daily Journal Index**
**31st Legislative Day**

The Senate met pursuant to adjournment.
Senator Mattie Hunter, Chicago, Illinois, presiding.
Prayer by Reverend Jessica Baldyga, First United Methodist Church, Pana, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Glowiak Hilton moved that reading and approval of the Journals of Friday, March 24, 2023 and Monday, March 27, 2023, be postponed, pending arrival of the printed Journals.
The motion prevailed.

**REPORT RECEIVED**

The Secretary placed before the Senate the following report:

Reporting Requirement of 50 ILCS 707/15 (Law Enforcement Camera Grant Act), submitted by the Taylorville Police Department.

The foregoing report was ordered received and placed on file in the Secretary's Office.

**LEGISLATIVE MEASURES FILED**

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 63
Amendment No. 1 to Senate Bill 64
Amendment No. 1 to Senate Bill 381
Amendment No. 1 to Senate Bill 505
Amendment No. 1 to Senate Bill 646
Amendment No. 1 to Senate Bill 664
Amendment No. 1 to Senate Bill 688
Amendment No. 1 to Senate Bill 762
Amendment No. 1 to Senate Bill 800
Amendment No. 1 to Senate Bill 836
Amendment No. 1 to Senate Bill 896
Amendment No. 1 to Senate Bill 1352
Amendment No. 3 to Senate Bill 1646
Amendment No. 1 to Senate Bill 1872
Amendment No. 3 to Senate Bill 1960
Amendment No. 2 to Senate Bill 1994

**MESSAGE FROM THE PRESIDENT**

**OFFICE OF THE SENATE PRESIDENT**
**DON HARMON**
**STATE OF ILLINOIS**

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

160 N. LASALLE ST., STE. 720
CHICAGO, ILLINOIS 60601
312-814-2075

March 28, 2023

Mr. Tim Anderson
Secretary of the Senate

Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee deadline to March 31, 2023 for the following bills:

SB 1473
SB 1597
SB 1645
SB 1974
SB 2148

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

**PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS**

**SENATE RESOLUTION NO. 154**
Offered by Senator McClure and all Senators:
Mourns the passing of Zachary A. "Zack" Defreitas of Springfield.

**SENATE RESOLUTION NO. 155**
Offered by Senator McClure and all Senators:
Mourns the death of Billy C. Brooks of Mechanicsburg.

**SENATE RESOLUTION NO. 156**
Offered by Senator McClure and all Senators:
Mourns the death of Laura Kay Berry of Springfield.

**SENATE RESOLUTION NO. 157**
Offered by Senator D. Turner and all Senators:
Mourns the death of MacArthur "Mac" Fragier of Springfield.

**SENATE RESOLUTION NO. 158**
Offered by Senator D. Turner and all Senators:
Mourns the passing of George Thomas Warfield Jr. of Decatur, formerly of Los Angeles, California.

**SENATE RESOLUTION NO. 159**
Offered by Senator D. Turner and all Senators:
Mourns the passing of Terrence Lamont Hurst of Springfield.

**SENATE RESOLUTION NO. 160**
Offered by Senator Anderson and all Senators:
Mourns the death of Jacob R. Gauwitz Jr. of Maquon.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

**PRESENTATION OF RESOLUTION**

Senator Faraci offered the following Senate Resolution, which was referred to the Committee on Assignments:

**SENATE RESOLUTION NO. 161**

WHEREAS, The type, quality, and amount of food that Illinoisans consume each day plays a vital role in their overall health and physical well-being; and

WHEREAS, Nutrient needs change over an individual's life span; and

WHEREAS, Following a healthy dietary pattern can help maintain good health and reduce the risk of chronic diseases throughout all stages of life; and

WHEREAS, There is a need for continuing nutrition to enhance healthy eating practices throughout Illinois; and

WHEREAS, One way to experience the benefits of healthy eating is to consult with a registered dietitian nutritionist for personalized nutrition advice; and

WHEREAS, National Nutrition Month was created 50 years ago to promote healthy eating development, informed food choices, and physical activity habits; and

WHEREAS, Each March, National Nutrition Month is an opportunity to increase public awareness about the importance of good nutrition; and

WHEREAS, National Nutrition Month is powered by the dedicated registered dietitian nutritionists throughout Illinois who work to educate Illinois residents on healthy nutrition habits; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare March of 2023 as Nutrition Month in the State of Illinois to promote healthy habits and lifestyles; and be it further

RESOLVED, That we encourage all citizens to take the opportunity during Nutrition Month to think about their nutrition to achieve optimum health for today and tomorrow; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Director of the Illinois Department of Public Health and the President of the Board of the Illinois Academy of Nutrition and Dietetics.

**REPORT FROM STANDING COMMITTEE**

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 1020274, 1020315, 1020316, 1020317, 1020318, 1020319, 1020320, 1020321, 1020322, 1020324, 1020325, 1020328, 1020329, 1020330, 1020331, 1020332, 1020333, 1020334 and 1020335**, reported the same back with the recommendation that the Senate do consent.

Under the rules, the foregoing appointment messages are eligible for consideration by the Senate.

**READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 1132**, sponsored by Senator Castro, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2471**, sponsored by Senator Ellman, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2805**, sponsored by Senator Glowiak Hilton, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2856**, sponsored by Senator Glowiak Hilton, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2872**, sponsored by Senator Lightford, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 2949**, sponsored by Senator Glowiak Hilton, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3055**, sponsored by Senator Sims, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3295**, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3641**, sponsored by Senator Halpin, was taken up, read by title a first time and referred to the Committee on Assignments.

**House Bill No. 3491**, sponsored by Senator Preston, was taken up, read by title a first time and referred to the Committee on Assignments.

## READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Murphy, **Senate Bill No. 183** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

### AMENDMENT NO. 1 TO SENATE BILL 183

AMENDMENT NO. 1 . Amend Senate Bill 183 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 13A-4 as follows:

(105 ILCS 5/13A-4)

Sec. 13A-4. Administrative transfers.

(a) A student who is determined to be subject to suspension or expulsion in the manner provided by Section 10-22.6 (or, in the case of a student enrolled in the public schools of a school district organized under Article 34, in accordance with the uniform system of discipline established under Section 34-19) may be immediately transferred to the alternative school program. ~~At the earliest time following that transfer appropriate personnel from the sending school district and appropriate personnel of the alternative program shall meet to develop an alternative education plan for the student. The student's parent or guardian shall be invited to this meeting. The student may be invited. The alternative educational plan shall include, but not be limited to all of the following:~~

~~(1) The duration of the plan, including a date after which the student may be returned to the regular educational program in the public schools of the transferring district. If the parent or guardian of a student who is scheduled to be returned to the regular education program in the public schools of the district files a written objection to the return with the principal of the alternative school, the matter shall be referred by the principal to the regional superintendent of the educational service region in which the alternative school program is located for a hearing. Notice of the hearing shall be given by~~

~~the regional superintendent to the student's parent or guardian. After the hearing, the regional superintendent may take such action as he or she finds appropriate and in the best interests of the student. The determination of the regional superintendent shall be final.~~

~~(2) The specific academic and behavioral components of the plan.~~

~~(3) A method and time frame for reviewing the student's progress.~~

~~Notwithstanding any other provision of this Article, if a student for whom an individualized educational program has been developed under Article 14 is transferred to an alternative school program under this Article 13A, that individualized educational program shall continue to apply to that student following the transfer unless modified in accordance with the provisions of Article 14.~~

(b) Before the effective date of the transfer, the student's parents or guardians shall receive information about the alternative school program including the specific nature of the curriculum, number of students in the program, any available services, the program's disciplinary policies, a typical daily schedule, and extracurricular activities offered at the alternative school program.

(c) At the earliest time following the effective date of the transfer appropriate personnel from the sending school district and appropriate personnel of the alternative school program shall meet to develop an alternative education plan for the student. The student and the student's parents or guardians shall be invited to this meeting. The alternative educational plan shall include, but not be limited to all of the following:

(1) The duration of the plan, including a date after which the student will may be returned to the regular educational program in the public schools of the transferring district.

(2) The specific academic and behavioral components of the plan.

(3) A method and time frame for reviewing the student's progress and for transitioning the student back to the regular education program in the public schools of the transferring district on the date set forth in paragraph (1). A transition meeting between the sending school district, the alternative school program, and the student's parent or guardian at least 3 days prior to the date after which the student will be returned to the regular education program in the public schools of the transferring district.

(d) The date after which the student will return to the regular educational program in the public schools of the transferring district shall not be extended over the objection of the student's parent or guardian.

(e) The date after which the student will return to the regular educational program in the public schools of the transferring district may be extended upon written agreement by the transferring school district, alternative school program, and the student's parent or guardian.

(f) Notwithstanding any other provision of this Article, if a student for whom an individualized educational program has been developed under Article 14 is transferred to an alternative school program under this Article 13A, that individualized educational program shall continue to apply to that student following the transfer unless modified in accordance with the provisions of Article 14.

(Source: P.A. 89-383, eff. 8-18-95; 89-629, eff. 8-9-96.)".

Floor Amendment No. 2 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 185** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Revenue.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Villa, **Senate Bill No. 203** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 214** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 214**

AMENDMENT NO. 1 . Amend Senate Bill 214 by replacing everything after the enacting clause with the following:

"Section 5. The Public Employee Disability Act is amended by changing Sections 1 as follows:

(5 ILCS 345/1) (from Ch. 70, par. 91)

Sec. 1. Disability benefit.

(a) As used in this Section: ~~For the purposes of this Section,~~

"Eligible ~~eligible~~ employee" means any part-time or full-time State correctional officer or any other full or part-time employee of the Department of Corrections, any full or part-time employee of the Prisoner Review Board, any full or part-time employee of the Department of Human Services working within a penal institution or a State mental health or developmental disabilities facility operated by the Department of Human Services, and any full-time law enforcement officer or full-time firefighter, including a full-time paramedic or a firefighter who performs paramedic duties, who is employed by the State of Illinois, any unit of local government (including any home rule unit), any State supported college or university, or any other public entity granted the power to employ persons for such purposes by law.

"Illness" includes any illness, disease, or condition the presence of which in a community results in the declaration of a disaster or emergency by a State, county, or municipal official.

(b) Whenever an eligible employee suffers any injury or illness in the line of duty which causes him to be unable to perform his duties, he shall continue to be paid by the employing public entity on the same basis as he was paid before the injury or illness, with no deduction from his sick leave credits, compensatory time for overtime accumulations or vacation, or service credits in a public employee pension fund during the time he is unable to perform his duties due to the result of the injury or illness, but not longer than one year in relation to the same injury, except as otherwise provided under subsection (b-5). However, no injury or illness to an employee of the Department of Corrections or the Prisoner Review Board working within a penal institution or an employee of the Department of Human Services working within a departmental mental health or developmental disabilities facility shall qualify the employee for benefits under this Section unless the injury or illness is the direct or indirect result of violence by inmates of the penal institution or residents of the mental health or developmental disabilities facility.

(b-5) Upon the occurrence of circumstances, directly or indirectly attributable to COVID-19, occurring on or after March 9, 2020 and on or before June 30, 2021 (including the period between December 31, 2020 and the effective date of this amendatory Act of the 101st General Assembly) which would hinder the physical recovery from an injury of an eligible employee within the one-year period as required under subsection (b), the eligible employee shall be entitled to an extension of no longer than 60 days by which he or she shall continue to be paid by the employing public entity on the same basis as he or she was paid before the injury. The employing public entity may require proof of the circumstances hindering an eligible employee's physical recovery before granting the extension provided under this subsection (b-5).

(c) At any time during the period for which continuing compensation is required by this Act, the employing public entity may order at the expense of that entity physical or medical examinations of the injured person to determine the degree of disability.

(d) During this period of disability, the injured person shall not be employed in any other manner, with or without monetary compensation. Any person who is employed in violation of this paragraph forfeits the continuing compensation provided by this Act from the time such employment begins. Any salary compensation due the injured or ill person from workers' compensation or any salary due him from any type of insurance which may be carried by the employing public entity shall revert to that entity during the time for which continuing compensation is paid to him under this Act. Any person with a disability receiving compensation under the provisions of this Act shall not be entitled to any benefits for which he would qualify because of his disability under the provisions of the Illinois Pension Code.

(e) Any employee of the State of Illinois, as defined in Section 14-103.05 of the Illinois Pension Code, who becomes permanently unable to perform the duties of such employment due to an injury or illness received in the active performance of his duties as a State employee as a result of a willful act of violence by another employee of the State of Illinois, as so defined, committed during such other employee's course of employment and after January 1, 1988, shall be eligible for benefits pursuant to the provisions of this Section. For purposes of this Section, permanent disability is defined as a diagnosis or prognosis of an inability to return to current job duties by a physician licensed to practice medicine in all of its branches.

(f) The compensation and other benefits provided to part-time employees covered by this Section shall be calculated based on the percentage of time the part-time employee was scheduled to work pursuant to his or her status as a part-time employee.

(g) Pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, this Act specifically denies and limits the exercise by home rule units of any power which is inconsistent herewith, and all existing laws and ordinances which are inconsistent herewith are hereby superseded. This Act does not preempt the concurrent exercise by home rule units of powers consistent herewith.

This Act does not apply to any home rule unit with a population of over 1,000,000.

(h) In those cases where the injury or illness to a State employee for which a benefit is payable under this Act was caused under circumstances creating a legal liability for damages on the part of some person other than the State employer, all of the rights and privileges, including the right to notice of suit brought against such other person and the right to commence or join in such suit, as given the employer, together with the conditions or obligations imposed under paragraph (b) of Section 5 of the Workers' Compensation Act, are also given and granted to the State, to the end that, with respect to State employees only, the State may be paid or reimbursed for the amount of benefit paid or to be paid by the State to the injured employee or his or her personal representative out of any judgment, settlement, or payment for such injury or illness obtained by such injured or ill employee or his or her personal representative from such other person by virtue of the injury or illness.

(Source: P.A. 100-1143, eff. 1-1-19; 101-651, eff. 8-7-20; 101-653, eff. 2-28-21.)".

Committee Amendment No. 2 was held in the Committee on Assignments.

Floor Amendment No. 3 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Halpin, **Senate Bill No. 247** having been printed, was taken up, read by title a second time.

Floor Amendment Nos. 1 and 2 were held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 1250** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 1344** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was postponed in the Committee on Executive.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Bennett, **Senate Bill No. 1356** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator S. Turner, **Senate Bill No. 1397** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **Senate Bill No. 1463** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1463**

AMENDMENT NO. 1 . Amend Senate Bill 1463 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by changing Section 5-1101.3 as follows:

(55 ILCS 5/5-1101.3)

Sec. 5-1101.3. Additional fees to finance new judicial facilities. The county boards of Kane County, Kendall County, and Will County may by ordinance impose a judicial facilities fee to be used for the building of new judicial facilities.

(a) In setting such fee, the county board, with the concurrence of the Chief Judge of the applicable judicial circuit or the presiding judge of the county in a multi-county judicial circuit, may impose different rates for the various types or categories of civil and criminal cases, not to exceed $30. The fees are to be paid as follows:

(1) In civil cases, the fee shall be paid by each party at the time of filing the first pleading, paper, or other appearance; provided that no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance.

(2) In felony, misdemeanor, local or county ordinance, traffic, and conservation cases, the fee shall be assessed against the defendant upon the entry of a judgment of conviction, an order of supervision, or a sentence of probation without entry of judgment pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, or Section 10 of the Steroid Control Act.

(2.5) The court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(3) In local or county ordinance, traffic, and conservation cases, if fines are paid in full without a court appearance, then the fee shall not be imposed or collected.

(b) The proceeds of all fees enacted under this Section must be deposited into the county's Judicial Department Facilities Construction Fund and used for the sole purpose of funding in whole or in part the costs associated with building new judicial facilities within the county, which shall be designed and constructed by the county board with the concurrence of the Chief Judge of the applicable judicial circuit or the presiding judge of the county in a multi-county judicial circuit.

(Source: P.A. 102-1021, eff. 7-1-22.)

Section 10. The Clerks of Courts Act is amended by changing Sections 27.1b and 27.3b-1 as follows:

(705 ILCS 105/27.1b)

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

Sec. 27.1b. Circuit court clerk fees. Notwithstanding any other provision of law, all fees charged by the clerks of the circuit court for the services described in this Section shall be established, collected, and disbursed in accordance with this Section. Except as otherwise specified in this Section, all fees under this Section shall be paid in advance and disbursed by each clerk on a monthly basis. In a county with a population of over 3,000,000, units of local government and school districts shall not be required to pay fees under this Section in advance and the clerk shall instead send an itemized bill to the unit of local government or school district, within 30 days of the fee being incurred, and the unit of local government or school district shall be allowed at least 30 days from the date of the itemized bill to pay; these payments shall be disbursed by each clerk on a monthly basis. Unless otherwise specified in this Section, the amount of a fee shall be determined by ordinance or resolution of the county board and remitted to the county treasurer to be used for purposes related to the operation of the court system in the county. In a county with a population of over 3,000,000, any amount retained by the clerk of the circuit court or remitted to the county treasurer shall be subject to appropriation by the county board.

(a) Civil cases. The fee for filing a complaint, petition, or other pleading initiating a civil action shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed a total of $366 in a county with a population of 3,000,000 or more and not to exceed $316 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $190 through December 31, 2021 and $184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $55 in a county with a population of 3,000,000 or more and in an amount not to exceed $45 in any other county

determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to $21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to $10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) $2 into the Access to Justice Fund; and

(iii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $290 in a county with a population of 3,000,000 or more and in an amount not to exceed $250 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed a total of $357 in a county with a population of 3,000,000 or more and not to exceed $266 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $190 through December 31, 2021 and $184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $55 in a county with a population of 3,000,000 or more and in an amount not to exceed $45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to $21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to $10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) $2 into the Access to Justice Fund: and

(iii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $281 in a county with a population of 3,000,000 or more and in an amount not to exceed $200 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: not to exceed a total of $265 in a county with a population of 3,000,000 or more and not to exceed $89 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $190 through December 31, 2021 and $184 on and after January 1, 2022. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $55 in a county with a population of 3,000,000 or more and in an amount not to exceed $22 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit $11 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts in accordance with the clerk's instructions, as follows:

(i) $2 into the Access to Justice Fund; and

(ii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $199 in a county with a population of 3,000,000 or more and in an amount not to exceed $56 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(4) SCHEDULE 4: $0.

(b) Appearance. The fee for filing an appearance in a civil action, including a cannabis civil law action under the Cannabis Control Act, shall be as set forth in the applicable schedule under this subsection in accordance with case categories established by the Supreme Court in schedules.

(1) SCHEDULE 1: not to exceed a total of $230 in a county with a population of 3,000,000 or more and not to exceed $191 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $75. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $50 in a county with a population of 3,000,000 or more and in an amount not to exceed $45 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit up to $21 to the State Treasurer. The State Treasurer shall deposit the appropriate amounts, in accordance with the clerk's instructions, as follows:

(i) up to $10, as specified by the Supreme Court in accordance with Part 10A of Article II of the Code of Civil Procedure, into the Mandatory Arbitration Fund;

(ii) $2 into the Access to Justice Fund; and

(iii) $9 into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $159 in a county with a population of 3,000,000 or more and in an amount not to exceed $125 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(2) SCHEDULE 2: not to exceed a total of $130 in a county with a population of 3,000,000 or more and not to exceed $109 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $75. The fees collected under this schedule shall be disbursed as follows:

(A) The clerk shall retain a sum, in an amount not to exceed $50 in a county with a population of 3,000,000 or more and in an amount not to exceed $10 in any other county determined by the clerk with the approval of the Supreme Court, to be used for court automation, court document storage, and administrative purposes.

(B) The clerk shall remit $9 to the State Treasurer, which the State Treasurer shall deposit into the Supreme Court Special Purposes Fund.

(C) The clerk shall remit a sum to the County Treasurer, in an amount not to exceed $71 in a county with a population of 3,000,000 or more and in an amount not to exceed $90 in any other county, as specified by ordinance or resolution passed by the county board, for purposes related to the operation of the court system in the county.

(3) SCHEDULE 3: $0.

(b-5) Kane County and Will County. In Kane County and Will County civil cases, there is an additional fee of up to $30 as set by the county board under Section 5-1101.3 of the Counties Code to be paid by each party at the time of filing the first pleading, paper, or other appearance; provided that no additional fee shall be required if more than one party is represented in a single pleading, paper, or other appearance. Distribution of fees collected under this subsection (b-5) shall be as provided in Section 5-1101.3 of the Counties Code.

(c) Counterclaim or third party complaint. When any defendant files a counterclaim or third party complaint, as part of the defendant's answer or otherwise, the defendant shall pay a filing fee for each counterclaim or third party complaint in an amount equal to the filing fee the defendant would have had to pay had the defendant brought a separate action for the relief sought in the counterclaim or third party complaint, less the amount of the appearance fee, if any, that the defendant has already paid in the action in which the counterclaim or third party complaint is filed.

(d) Alias summons. The clerk shall collect a fee not to exceed $6 in a county with a population of 3,000,000 or more and not to exceed $5 in any other county for each alias summons or citation issued by the clerk, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $5 for each alias summons or citation issued by the clerk.

(e) Jury services. The clerk shall collect, in addition to other fees allowed by law, a sum not to exceed $212.50, as a fee for the services of a jury in every civil action not quasi-criminal in its nature and not a proceeding for the exercise of the right of eminent domain and in every other action wherein the right of trial by jury is or may be given by law. The jury fee shall be paid by the party demanding a jury at the time of filing the jury demand. If the fee is not paid by either party, no jury shall be called in the action or proceeding, and the action or proceeding shall be tried by the court without a jury.

(f) Change of venue. In connection with a change of venue:

(1) The clerk of the jurisdiction from which the case is transferred may charge a fee, not to exceed $40, for the preparation and certification of the record; and

(2) The clerk of the jurisdiction to which the case is transferred may charge the same filing fee as if it were the commencement of a new suit.

(g) Petition to vacate or modify.

(1) In a proceeding involving a petition to vacate or modify any final judgment or order filed within 30 days after the judgment or order was entered, except for an eviction case, small claims case, petition to reopen an estate, petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall not exceed $60 in a county with a population of 3,000,000 or more and shall not exceed $50 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $50.

(2) In a proceeding involving a petition to vacate or modify any final judgment or order filed more than 30 days after the judgment or order was entered, except for a petition to modify, terminate, or enforce a judgment or order for child or spousal support, or petition to modify, suspend, or terminate an order for withholding, the fee shall not exceed $75.

(3) In a proceeding involving a motion to vacate or amend a final order, motion to vacate an ex parte judgment, judgment of forfeiture, or "failure to appear" or "failure to comply" notices sent to the Secretary of State, the fee shall equal $40.

(h) Appeals preparation. The fee for preparation of a record on appeal shall be based on the number of pages, as follows:

(1) if the record contains no more than 100 pages, the fee shall not exceed $70 in a county with a population of 3,000,000 or more and shall not exceed $50 in any other county;

(2) if the record contains between 100 and 200 pages, the fee shall not exceed $100; and

(3) if the record contains 200 or more pages, the clerk may collect an additional fee not to exceed 25 cents per page.

(i) Remands. In any cases remanded to the circuit court from the Supreme Court or the appellate court for a new trial, the clerk shall reinstate the case with either its original number or a new number. The clerk shall not charge any new or additional fee for the reinstatement. Upon reinstatement, the clerk shall advise the parties of the reinstatement. Parties shall have the same right to a jury trial on remand and reinstatement that they had before the appeal, and no additional or new fee or charge shall be made for a jury trial after remand.

(j) Garnishment, wage deduction, and citation. In garnishment affidavit, wage deduction affidavit, and citation petition proceedings:

(1) if the amount in controversy in the proceeding is not more than $1,000, the fee may not exceed $35 in a county with a population of 3,000,000 or more and may not exceed $15 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $15;

(2) if the amount in controversy in the proceeding is greater than $1,000 and not more than $5,000, the fee may not exceed $45 in a county with a population of 3,000,000 or more and may not exceed $30 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $30; and

(3) if the amount in controversy in the proceeding is greater than $5,000, the fee may not exceed $65 in a county with a population of 3,000,000 or more and may not exceed $50 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $50.

(j-5) Debt collection. In any proceeding to collect a debt subject to the exception in item (ii) of subparagraph (A-5) of paragraph (1) of subsection (z) of this Section, the circuit court shall order and the clerk shall collect from each judgment debtor a fee of:

(1) $35 if the amount in controversy in the proceeding is not more than $1,000;

(2) $45 if the amount in controversy in the proceeding is greater than $1,000 and not more than $5,000; and

(3) $65 if the amount in controversy in the proceeding is greater than $5,000.

(k) Collections.

(1) For all collections made of others, except the State and county and except in maintenance or child support cases, the clerk may collect a fee of up to 2.5% of the amount collected and turned over.

(2) In child support and maintenance cases, the clerk may collect an annual fee of up to $36 from the person making payment for maintaining child support records and the processing of support orders to the State of Illinois KIDS system and the recording of payments issued by the State Disbursement Unit for the official record of the Court. This fee is in addition to and separate from

amounts ordered to be paid as maintenance or child support and shall be deposited into a Separate Maintenance and Child Support Collection Fund, of which the clerk shall be the custodian, ex officio, to be used by the clerk to maintain child support orders and record all payments issued by the State Disbursement Unit for the official record of the Court. The clerk may recover from the person making the maintenance or child support payment any additional cost incurred in the collection of this annual fee.

(3) The clerk may collect a fee of $5 for certifications made to the Secretary of State as provided in Section 7-703 of the Illinois Vehicle Code, and this fee shall be deposited into the Separate Maintenance and Child Support Collection Fund.

(4) In proceedings to foreclose the lien of delinquent real estate taxes, State's Attorneys shall receive a fee of 10% of the total amount realized from the sale of real estate sold in the proceedings. The clerk shall collect the fee from the total amount realized from the sale of the real estate sold in the proceedings and remit to the County Treasurer to be credited to the earnings of the Office of the State's Attorney.

(l) Mailing. The fee for the clerk mailing documents shall not exceed $10 plus the cost of postage.

(m) Certified copies. The fee for each certified copy of a judgment, after the first copy, shall not exceed $10.

(n) Certification, authentication, and reproduction.

(1) The fee for each certification or authentication for taking the acknowledgment of a deed or other instrument in writing with the seal of office shall not exceed $6.

(2) The fee for reproduction of any document contained in the clerk's files shall not exceed:

(A) $2 for the first page;

(B) 50 cents per page for the next 19 pages; and

(C) 25 cents per page for all additional pages.

(o) Record search. For each record search, within a division or municipal district, the clerk may collect a search fee not to exceed $6 for each year searched.

(p) Hard copy. For each page of hard copy print output, when case records are maintained on an automated medium, the clerk may collect a fee not to exceed $10 in a county with a population of 3,000,000 or more and not to exceed $6 in any other county, except as applied to units of local government and school districts in counties with more than 3,000,000 inhabitants an amount not to exceed $6.

(q) Index inquiry and other records. No fee shall be charged for a single plaintiff and defendant index inquiry or single case record inquiry when this request is made in person and the records are maintained in a current automated medium, and when no hard copy print output is requested. The fees to be charged for management records, multiple case records, and multiple journal records may be specified by the Chief Judge pursuant to the guidelines for access and dissemination of information approved by the Supreme Court.

(r) Performing a marriage. There shall be a $10 fee for performing a marriage in court.

(s) Voluntary assignment. For filing each deed of voluntary assignment, the clerk shall collect a fee not to exceed $20. For recording a deed of voluntary assignment, the clerk shall collect a fee not to exceed 50 cents for each 100 words. Exceptions filed to claims presented to an assignee of a debtor who has made a voluntary assignment for the benefit of creditors shall be considered and treated, for the purpose of taxing costs therein, as actions in which the party or parties filing the exceptions shall be considered as party or parties plaintiff, and the claimant or claimants as party or parties defendant, and those parties respectively shall pay to the clerk the same fees as provided by this Section to be paid in other actions.

(t) Expungement petition. Except as provided in Sections 1-19 and 5-915 of the Juvenile Court Act of 1987, the ~~The~~ clerk may collect a fee not to exceed $60 for each expungement petition filed and an additional fee not to exceed $4 for each certified copy of an order to expunge arrest records.

(u) Transcripts of judgment. For the filing of a transcript of judgment, the clerk may collect the same fee as if it were the commencement of a new suit.

(v) Probate filings.

(1) For each account (other than one final account) filed in the estate of a decedent, or ward, the fee shall not exceed $25.

(2) For filing a claim in an estate when the amount claimed is greater than $150 and not more than $500, the fee shall not exceed $40 in a county with a population of 3,000,000 or more and shall not exceed $25 in any other county; when the amount claimed is greater than $500 and not more than $10,000, the fee shall not exceed $55 in a county with a population of 3,000,000 or more and shall not

exceed $40 in any other county; and when the amount claimed is more than $10,000, the fee shall not exceed $75 in a county with a population of 3,000,000 or more and shall not exceed $60 in any other county; except the court in allowing a claim may add to the amount allowed the filing fee paid by the claimant.

(3) For filing in an estate a claim, petition, or supplemental proceeding based upon an action seeking equitable relief including the construction or contest of a will, enforcement of a contract to make a will, and proceedings involving testamentary trusts or the appointment of testamentary trustees, the fee shall not exceed $60.

(4) There shall be no fee for filing in an estate: (i) the appearance of any person for the purpose of consent; or (ii) the appearance of an executor, administrator, administrator to collect, guardian, guardian ad litem, or special administrator.

(5) For each jury demand, the fee shall not exceed $137.50.

(6) For each certified copy of letters of office, of court order, or other certification, the fee shall not exceed $2 per page.

(7) For each exemplification, the fee shall not exceed $2, plus the fee for certification.

(8) The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay the cost of publication by the clerk directly to the newspaper.

(9) The person on whose behalf a charge is incurred for witness, court reporter, appraiser, or other miscellaneous fees shall pay the same directly to the person entitled thereto.

(10) The executor, administrator, guardian, petitioner, or other interested person or his or her attorney shall pay to the clerk all postage charges incurred by the clerk in mailing petitions, orders, notices, or other documents pursuant to the provisions of the Probate Act of 1975.

(w) Corrections of numbers. For correction of the case number, case title, or attorney computer identification number, if required by rule of court, on any document filed in the clerk's office, to be charged against the party that filed the document, the fee shall not exceed $25.

(x) Miscellaneous.

(1) Interest earned on any fees collected by the clerk shall be turned over to the county general fund as an earning of the office.

(2) For any check, draft, or other bank instrument returned to the clerk for non-sufficient funds, account closed, or payment stopped, the clerk shall collect a fee of $25.

(y) Other fees. Any fees not covered in this Section shall be set by rule or administrative order of the circuit court with the approval of the Administrative Office of the Illinois Courts. The clerk of the circuit court may provide services in connection with the operation of the clerk's office, other than those services mentioned in this Section, as may be requested by the public and agreed to by the clerk and approved by the Chief Judge. Any charges for additional services shall be as agreed to between the clerk and the party making the request and approved by the Chief Judge. Nothing in this subsection shall be construed to require any clerk to provide any service not otherwise required by law.

(y-5) Unpaid fees. Unless a court ordered payment schedule is implemented or the fee requirements of this Section are waived under a court order, the clerk of the circuit court may add to any unpaid fees and costs under this Section a delinquency amount equal to 5% of the unpaid fees that remain unpaid after 30 days, 10% of the unpaid fees that remain unpaid after 60 days, and 15% of the unpaid fees that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited into the Circuit Court Clerk Operations and Administration Fund and used to defray additional administrative costs incurred by the clerk of the circuit court in collecting unpaid fees and costs.

(z) Exceptions.

(1) No fee authorized by this Section shall apply to:

(A) police departments or other law enforcement agencies. In this Section, "law enforcement agency" means: an agency of the State or agency of a unit of local government which is vested by law or ordinance with the duty to maintain public order and to enforce criminal laws or ordinances; the Attorney General; or any State's Attorney;

(A-5) any unit of local government or school district, except in counties having a population of 500,000 or more the county board may by resolution set fees for units of local government or school districts no greater than the minimum fees applicable in counties with a population less than 3,000,000; provided however, no fee may be charged to any unit of local

government or school district in connection with any action which, in whole or in part, is: (i) to enforce an ordinance; (ii) to collect a debt; or (iii) under the Administrative Review Law;

(B) any action instituted by the corporate authority of a municipality with more than 1,000,000 inhabitants under Section 11-31-1 of the Illinois Municipal Code and any action instituted under subsection (b) of Section 11-31-1 of the Illinois Municipal Code by a private owner or tenant of real property within 1,200 feet of a dangerous or unsafe building seeking an order compelling the owner or owners of the building to take any of the actions authorized under that subsection;

(C) any commitment petition or petition for an order authorizing the administration of psychotropic medication or electroconvulsive therapy under the Mental Health and Developmental Disabilities Code;

(D) a petitioner in any order of protection proceeding, including, but not limited to, fees for filing, modifying, withdrawing, certifying, or photocopying petitions for orders of protection, issuing alias summons, any related filing service, or certifying, modifying, vacating, or photocopying any orders of protection; ~~or~~

(E) proceedings for the appointment of a confidential intermediary under the Adoption Act; ~~.~~

(F) a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian; or

(G) a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(2) No fee other than the filing fee contained in the applicable schedule in subsection (a) shall be charged to any person in connection with an adoption proceeding.

(3) Upon good cause shown, the court may waive any fees associated with a special needs adoption. The term "special needs adoption" has the meaning provided by the Illinois Department of Children and Family Services.

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

(Source: P.A. 101-645, eff. 6-26-20; 102-145, eff. 7-23-21; 102-278, eff. 8-6-21; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

(705 ILCS 105/27.3b-1)

Sec. 27.3b-1. Minimum fines; disbursement of fines.

(a) Unless otherwise specified by law, the minimum fine for a conviction or supervision disposition on a minor traffic offense is $25 and the minimum fine for a conviction, supervision disposition, or violation based upon a plea of guilty or finding of guilt for any other offense is $75. If the court finds that the fine would impose an undue burden on the victim, the court may reduce or waive the fine. In this subsection (a), "victim" shall not be construed to include the defendant.

(a-5) Except for traffic fines, the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(b) Unless otherwise specified by law, all fines imposed on a misdemeanor offense, other than a traffic, conservation, or driving under the influence offense, or on a felony offense shall be disbursed within 60 days after receipt by the circuit clerk to the county treasurer for deposit into the county's General Fund. Unless otherwise specified by law, all fines imposed on an ordinance offense or a misdemeanor traffic, misdemeanor conservation, or misdemeanor driving under the influence offense shall be disbursed within 60 days after receipt by the circuit clerk to the treasurer of the unit of government of the arresting agency. If the arresting agency is the office of the sheriff, the county treasurer shall deposit the portion into a fund to support the law enforcement operations of the office of the sheriff. If the arresting agency is a State agency, the State Treasurer shall deposit the portion as follows:

(1) if the arresting agency is the Illinois State Police, into the State Police Law Enforcement Administration Fund;

(2) if the arresting agency is the Department of Natural Resources, into the Conservation Police Operations Assistance Fund;

(3) if the arresting agency is the Secretary of State, into the Secretary of State Police Services Fund; and

(4) if the arresting agency is the Illinois Commerce Commission, into the Transportation Regulatory Fund.

(Source: P.A. 101-636, eff. 6-10-20; 102-538, eff. 8-20-21.)

Section 15. The Criminal and Traffic Assessment Act is amended by changing Sections 5-5, 5-10, 5-15, and 15-70 as follows:

(705 ILCS 135/5-5)

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

Sec. 5-5. Minimum fine. Unless otherwise specified by law, the minimum fine for a conviction or supervision disposition on a minor traffic offense is $25 and the minimum fine for a conviction, supervision disposition, or violation based upon a plea of guilty or finding of guilt for any other offense is $75. If the court finds that the fine would impose an undue burden on the victim, the court may reduce or waive the fine. In this Section, "victim" shall not be construed to include the defendant. Except for traffic fines, the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 100-987, eff. 7-1-19.)

(705 ILCS 135/5-10)

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

Sec. 5-10. Schedules; payment.

(a) In each case, the court shall order an assessment at the time of sentencing, as set forth in this Act, for a defendant to pay in addition to any fine, restitution, or forfeiture ordered by the court when the defendant is convicted of, pleads guilty to, or is placed on court supervision for a violation of a statute of this State or a similar local ordinance. The court may order a fine, restitution, or forfeiture on any violation that is being sentenced but shall order only one assessment from the Schedule of Assessments 1 through 13 of this Act for all sentenced violations in a case, that being the schedule applicable to the highest classified offense violation that is being sentenced, plus any conditional assessments under Section 15-70 of this Act applicable to any sentenced violation in the case.

(a-5) Except for restitution and traffic violations, the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(b) If the court finds that the schedule of assessments will cause an undue burden on any victim in a case or if the court orders community service or some other punishment in place of the applicable schedule of assessments, the court may reduce the amount set forth in the applicable schedule of assessments or not order the applicable schedule of assessments. If the court reduces the amount set forth in the applicable schedule of assessments, then all recipients of the funds collected will receive a prorated amount to reflect the reduction.

(c) The court may order the assessments to be paid forthwith or within a specified period of time or in installments.

(c-3) Excluding any ordered conditional assessment, if the assessment is not paid within the period of probation, conditional discharge, or supervision to which the defendant was originally sentenced, the court may extend the period of probation, conditional discharge, or supervision under Section 5-6-2 or 5-6-3.1 of the Unified Code of Corrections, as applicable, until the assessment is paid or until successful completion of public or community service set forth in subsection (b) of Section 5-20 of this Act or the successful completion of the substance abuse intervention or treatment program set forth in subsection (c-5) of this Section.

Except for traffic violations, the court shall not order a fee or other cost under this subsection (c-3) against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(c-5) Excluding any ordered conditional assessment, the court may suspend the collection of the assessment; provided, the defendant agrees to enter a substance abuse intervention or treatment program approved by the court; and further provided that the defendant agrees to pay for all or some portion of the costs associated with the intervention or treatment program. In this case, the collection of the assessment shall be suspended during the defendant's participation in the approved intervention or treatment program. Upon successful completion of the program, the defendant may apply to the court to reduce the assessment imposed under this Section by any amount actually paid by the defendant for his or her participation in the program. The court shall not reduce the assessment under this subsection unless the defendant establishes to the satisfaction of the court that he or she has successfully completed the intervention or treatment program. If the defendant's participation is for any reason terminated before his or her successful completion of the intervention or treatment program, collection of the entire assessment imposed under this Act shall be enforced. Nothing in this Section shall be deemed to affect or suspend any other fines, restitution costs, forfeitures, or assessments imposed under this or any other Act.

Except for traffic violations, the court shall not order a fee or other cost under this subsection (c-5) against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(d) Except as provided in Section 5-15 of this Act, the defendant shall pay to the clerk of the court and the clerk shall remit the assessment to the appropriate entity as set forth in the ordered schedule of assessments within one month of its receipt.

(e) Unless a court ordered payment schedule is implemented or the assessment requirements of this Act are waived under a court order, the clerk of the circuit court may add to any unpaid assessments under this Act a delinquency amount equal to 5% of the unpaid assessments that remain unpaid after 30 days, 10% of the unpaid assessments that remain unpaid after 60 days, and 15% of the unpaid assessments that remain unpaid after 90 days. Notice to those parties may be made by signage posting or publication. The additional delinquency amounts collected under this Section shall be deposited into the Circuit Clerk Operations and Administration Fund and used to defray additional administrative costs incurred by the clerk of the circuit court in collecting unpaid assessments.

(f) The clerk of the circuit court shall not add delinquency amounts to unpaid assessments against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 100-987, eff. 7-1-19; 100-1161, eff. 7-1-19.)

(705 ILCS 135/5-15)

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

Sec. 5-15. Service provider costs. Unless otherwise provided in Article 15 of this Act, the defendant shall pay service provider costs to the entity that provided the service. Service provider costs are not eligible for credit for time served, substitution of community service, or waiver. The circuit court may, through administrative order or local rule, appoint the clerk of the court as the receiver and remitter of certain service provider costs, which may include, but are not limited to, probation fees, traffic school fees, or drug or alcohol testing fees. Except for traffic violations, the costs, fees, or any other assessments referenced in this Section shall not apply to a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 100-987, eff. 7-1-19.)

(705 ILCS 135/15-70)

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

Sec. 15-70. Conditional assessments. In addition to payments under one of the Schedule of Assessments 1 through 13 of this Act, the court shall also order payment of any of the following conditional assessment amounts for each sentenced violation in the case to which a conditional assessment is applicable, which shall be collected and remitted by the Clerk of the Circuit Court as provided in this Section:

(1) arson, residential arson, or aggravated arson, $500 per conviction to the State Treasurer for deposit into the Fire Prevention Fund;

(2) child pornography under Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, $500 per conviction, unless more than one agency is responsible for the arrest in which case the amount shall be remitted to each unit of government equally:

(A) if the arresting agency is an agency of a unit of local government, $500 to the treasurer of the unit of local government for deposit into the unit of local government's General Fund, except that if the Illinois State Police provides digital or electronic forensic examination assistance, or both, to the arresting agency then $100 to the State Treasurer for deposit into the State Crime Laboratory Fund; or

(B) if the arresting agency is the Illinois State Police, $500 to the State Treasurer for deposit into the State Crime Laboratory Fund;

(3) crime laboratory drug analysis for a drug-related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance as defined in the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, $100 reimbursement for laboratory analysis, as set forth in subsection (f) of Section 5-9-1.4 of the Unified Code of Corrections;

(4) DNA analysis, $250 on each conviction in which it was used to the State Treasurer for deposit into the State Crime Laboratory Fund as set forth in Section 5-9-1.4 of the Unified Code of Corrections;

(5) DUI analysis, $150 on each sentenced violation in which it was used as set forth in subsection (f) of Section 5-9-1.9 of the Unified Code of Corrections;

(6) drug-related offense involving possession or delivery of cannabis or possession or delivery of a controlled substance, other than methamphetamine, as defined in the Cannabis Control Act or the Illinois Controlled Substances Act, an amount not less than the full street value of the cannabis or controlled substance seized for each conviction to be disbursed as follows:

(A) 12.5% of the street value assessment shall be paid into the Youth Drug Abuse Prevention Fund, to be used by the Department of Human Services for the funding of programs and services for drug-abuse treatment, and prevention and education services;

(B) 37.5% to the county in which the charge was prosecuted, to be deposited into the county General Fund;

(C) 50% to the treasurer of the arresting law enforcement agency of the municipality or county, or to the State Treasurer if the arresting agency was a state agency, to be deposited as provided in subsection (c) of Section 10-5;

(D) if the arrest was made in combination with multiple law enforcement agencies, the clerk shall equitably allocate the portion in subparagraph (C) of this paragraph (6) among the law enforcement agencies involved in the arrest;

(6.5) Kane County or Will County, in felony, misdemeanor, local or county ordinance, traffic, or conservation cases, up to $30 as set by the county board under Section 5-1101.3 of the Counties Code upon the entry of a judgment of conviction, an order of supervision, or a sentence of probation without entry of judgment under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, or Section 10 of the Steroid Control Act; except in local or county ordinance, traffic, and conservation cases, if fines are paid in full without a court appearance, then the assessment shall not be imposed or collected. Distribution of assessments collected under this paragraph (6.5) shall be as provided in Section 5-1101.3 of the Counties Code;

(7) methamphetamine-related offense involving possession or delivery of methamphetamine or any salt of an optical isomer of methamphetamine or possession of a methamphetamine manufacturing material as set forth in Section 10 of the Methamphetamine Control and Community Protection Act with the intent to manufacture a substance containing methamphetamine or salt of an optical isomer of methamphetamine, an amount not less than the full street value of the methamphetamine or salt of an optical isomer of methamphetamine or methamphetamine manufacturing materials seized for each conviction to be disbursed as follows:

(A) 12.5% of the street value assessment shall be paid into the Youth Drug Abuse Prevention Fund, to be used by the Department of Human Services for the funding of programs and services for drug-abuse treatment, and prevention and education services;

(B) 37.5% to the county in which the charge was prosecuted, to be deposited into the county General Fund;

(C) 50% to the treasurer of the arresting law enforcement agency of the municipality or county, or to the State Treasurer if the arresting agency was a state agency, to be deposited as provided in subsection (c) of Section 10-5;

(D) if the arrest was made in combination with multiple law enforcement agencies, the clerk shall equitably allocate the portion in subparagraph (C) of this paragraph (6) among the law enforcement agencies involved in the arrest;

(8) order of protection violation under Section 12-3.4 of the Criminal Code of 2012, $200 for each conviction to the county treasurer for deposit into the Probation and Court Services Fund for implementation of a domestic violence surveillance program and any other assessments or fees imposed under Section 5-9-1.16 of the Unified Code of Corrections;

(9) order of protection violation, $25 for each violation to the State Treasurer, for deposit into the Domestic Violence Abuser Services Fund;

(10) prosecution by the State's Attorney of a:

(A) petty or business offense, $4 to the county treasurer of which $2 deposited into the State's Attorney Records Automation Fund and $2 into the Public Defender Records Automation Fund;

(B) conservation or traffic offense, $2 to the county treasurer for deposit into the State's Attorney Records Automation Fund;

(11) speeding in a construction zone violation, $250 to the State Treasurer for deposit into the Transportation Safety Highway Hire-back Fund, unless (i) the violation occurred on a highway other than an interstate highway and (ii) a county police officer wrote the ticket for the violation, in which case to the county treasurer for deposit into that county's Transportation Safety Highway Hire-back Fund;

(12) supervision disposition on an offense under the Illinois Vehicle Code or similar provision of a local ordinance, 50 cents, unless waived by the court, into the Prisoner Review Board Vehicle and Equipment Fund;

(13) victim and offender are family or household members as defined in Section 103 of the Illinois Domestic Violence Act of 1986 and offender pleads guilty or no contest to or is convicted of murder, voluntary manslaughter, involuntary manslaughter, burglary, residential burglary, criminal trespass to residence, criminal trespass to vehicle, criminal trespass to land, criminal damage to property, telephone harassment, kidnapping, aggravated kidnaping, unlawful restraint, forcible detention, child abduction, indecent solicitation of a child, sexual relations between siblings, exploitation of a child, child pornography, assault, aggravated assault, battery, aggravated battery, heinous battery, aggravated battery of a child, domestic battery, reckless conduct, intimidation, criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, violation of an order of protection, disorderly conduct, endangering the life or health of a child, child abandonment, contributing to dependency or neglect of child, or cruelty to children and others, $200 for each sentenced violation to the State Treasurer for deposit as follows: (i) for sexual assault, as defined in Section 5-9-1.7 of the Unified Code of Corrections, when the offender and victim are family members, one-half to the Domestic Violence Shelter and Service Fund, and one-half to the Sexual Assault Services Fund; (ii) for the remaining offenses to the Domestic Violence Shelter and Service Fund;

(14) violation of Section 11-501 of the Illinois Vehicle Code, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision, whose operation of a motor vehicle, snowmobile, or watercraft while in violation of Section 11-501, Section 5-7 of the Snowmobile Registration and Safety Act, Section 5-16 of the Boat Registration and Safety Act, or a similar provision proximately caused an incident resulting in an appropriate emergency response, $1,000 maximum to the public agency that provided an emergency response related to the person's violation, or as provided in subsection (c) of Section 10-5 if the arresting agency was a State agency, unless more than one agency was responsible for the arrest, in which case the amount shall be remitted to each unit of government equally;

(15) violation of Section 401, 407, or 407.2 of the Illinois Controlled Substances Act that proximately caused any incident resulting in an appropriate drug-related emergency response, $1,000 as reimbursement for the emergency response to the law enforcement agency that made the arrest, or as provided in subsection (c) of Section 10-5 if the arresting agency was a State agency, unless more

than one agency was responsible for the arrest, in which case the amount shall be remitted to each unit of government equally;

(16) violation of reckless driving, aggravated reckless driving, or driving 26 miles per hour or more in excess of the speed limit that triggered an emergency response, $1,000 maximum reimbursement for the emergency response to be distributed in its entirety to a public agency that provided an emergency response related to the person's violation, or as provided in subsection (c) of Section 10-5 if the arresting agency was a State agency, unless more than one agency was responsible for the arrest, in which case the amount shall be remitted to each unit of government equally;

(17) violation based upon each plea of guilty, stipulation of facts, or finding of guilt resulting in a judgment of conviction or order of supervision for an offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of the Criminal Code of 2012 that results in the imposition of a fine, to be distributed as follows:

(A) $50 to the county treasurer for deposit into the Circuit Court Clerk Operation and Administrative Fund to cover the costs in administering this paragraph (17);

(B) $300 to the State Treasurer who shall deposit the portion as follows:

(i) if the arresting or investigating agency is the Illinois State Police, into the State Police Law Enforcement Administration Fund;

(ii) if the arresting or investigating agency is the Department of Natural Resources, into the Conservation Police Operations Assistance Fund;

(iii) if the arresting or investigating agency is the Secretary of State, into the Secretary of State Police Services Fund;

(iv) if the arresting or investigating agency is the Illinois Commerce Commission, into the Transportation Regulatory Fund; or

(v) if more than one of the State agencies in this subparagraph (B) is the arresting or investigating agency, then equal shares with the shares deposited as provided in the applicable items (i) through (iv) of this subparagraph (B); and

(C) the remainder for deposit into the Specialized Services for Survivors of Human Trafficking Fund;

(18) weapons violation under Section 24-1.1, 24-1.2, or 24-1.5 of the Criminal Code of 1961 or the Criminal Code of 2012, $100 for each conviction to the State Treasurer for deposit into the Trauma Center Fund; and

(19) violation of subsection (c) of Section 11-907 of the Illinois Vehicle Code, $250 to the State Treasurer for deposit into the Scott's Law Fund, unless a county or municipal police officer wrote the ticket for the violation, in which case to the county treasurer for deposit into that county's or municipality's Transportation Safety Highway Hire-back Fund to be used as provided in subsection (j) of Section 11-907 of the Illinois Vehicle Code.

Except for traffic violations, the fees, fines, or other assessments under this Section shall not apply to a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 101-173, eff. 1-1-20; 101-636, eff. 6-10-20; 102-145, eff. 7-23-21; 102-505, eff. 8-20-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 20. The Juvenile Court Act of 1987 is amended by changing Sections 3-17, 3-19, 3-21, 3-24, 3-33.5, 4-14, 4-16, 4-18, 4-21, 5-525, 5-610, 5-615, 5-710, 5-715, 5-915, 6-7, and 6-9 and by adding Section 1-19 as follows:

(705 ILCS 405/1-19 new)

Sec. 1-19. Assessments and outstanding balances owed by minors or their parents, guardians, or legal custodians; report.

(a) The court shall not order any assessments, such as fees, fines, or administrative costs, except for those provided in Section 5-125 of this Act, against a minor subject to Article III, IV, or V of this Act or against the minor's parent, guardian, or legal custodian.

(b) The court shall not order fees, fines, or administrative costs, except for those provided in Section 5-125 of this Act, against a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of this Act, or the minor's parent, guardian, or legal custodian.

(c) Except for assessments made in traffic, boating, or fish and game law, or municipal ordinance violations as provided in Section 5-125 of this Act, any judgment, order, agreement, or other legally enforceable encumbrance directing a minor or his or her parent, guardian, or legal custodian to pay assessments prior to the effective date of this amendatory Act of the 103rd General Assembly is null, void, and not collectible if there remains a balance due, including interest, penalties, or collection fees.

(d) Within 90 calendar days after the effective date of this amendatory Act of the 103rd General Assembly, the court shall automatically vacate all orders or other legally enforceable encumbrances directing a minor or his or her parent, guardian, or legal custodian to pay any fees, fines, or administrative costs of any balances due, including interest, penalties, or collection fees, as of the effective date of this amendatory Act of the 103rd General Assembly.

(e) Within 30 calendar days after the effective date of this amendatory Act of the 103rd General Assembly, the clerk of the circuit court shall provide written notice to any and all collection agencies and circuit court staff to inform them that any pending or outstanding fees, fines, or administrative costs made not collectible by this amendatory Act of the 103rd General Assembly have been vacated and are null, void, and not collectible.

(f) Within 30 calendar days after the effective date of this amendatory Act of the 103rd General Assembly, the probation officer, if applicable, or any other designated person from the juvenile probation department and the clerk of the circuit court shall provide written notice to the minor and the minor's parent, guardian, or legal custodian that, as of the effective date of this amendatory Act of the 103rd General Assembly, all payment obligations are discharged for any pending or outstanding fees, fines, or administrative costs made not collectible by this amendatory Act of the 103rd General Assembly.

(g) If a payment is made by a minor or his or her parent, guardian, or legal custodian on or after the effective date of this amendatory Act of the 103rd General Assembly, the clerk of the circuit court shall automatically and immediately reimburse payments made toward fees, fines, and costs made null, void, and uncollectible by this amendatory Act of the 103rd General Assembly.

(h) One year after the effective date of this amendatory Act of the 103rd General Assembly, the Administrative Office of the Illinois Courts shall report to the General Assembly:

(1) the number of judgments, orders, agreements, or other legally enforceable encumbrances vacated pursuant to this Section in each judicial district; and

(2) the total balances of fees, fines, and administrative costs vacated in each judicial district.

(705 ILCS 405/3-17) (from Ch. 37, par. 803-17)

Sec. 3-17. Summons. (1) When a petition is filed, the clerk of the court shall issue a summons with a copy of the petition attached. The summons shall be directed to the minor's legal guardian or custodian and to each person named as a respondent in the petition, except that summons need not be directed to a minor respondent under 8 years of age for whom the court appoints a guardian ad litem if the guardian ad litem appears on behalf of the minor in any proceeding under this Act.

(2) The summons must contain a statement that the minor or any of the respondents is entitled to have an attorney present at the hearing on the petition, and that the clerk of the court should be notified promptly if the minor or any other respondent desires to be represented by an attorney but is financially unable to employ counsel.

(3) The summons shall be issued under the seal of the court, attested to and signed with the name of the clerk of the court, dated on the day it is issued, and shall require each respondent to appear and answer the petition on the date set for the adjudicatory hearing.

(4) The summons may be served by any county sheriff, coroner or probation officer, even though the officer is the petitioner. The return of the summons with endorsement of service by the officer is sufficient proof thereof.

(5) Service of a summons and petition shall be made by: (a) leaving a copy thereof with the person summoned at least 3 days before the time stated therein for appearance; (b) leaving a copy at his usual place of abode with some person of the family, of the age of 10 years or upwards, and informing that person of the contents thereof, provided the officer or other person making service shall also send a copy of the summons in a sealed envelope with postage fully prepaid, addressed to the person summoned at his usual place of abode, at least 3 days before the time stated therein for appearance; or (c) leaving a copy thereof with the guardian or custodian of a minor, at least 3 days before the time stated therein for appearance. If the guardian or custodian is an agency of the State of Illinois, proper service may be made by leaving a copy of the summons and petition with any administrative employee of such agency designated by such agency to

accept service of summons and petitions. The certificate of the officer or affidavit of the person that he has sent the copy pursuant to this Section is sufficient proof of service.

(6) When a parent or other person, who has signed a written promise to appear and bring the minor to court or who has waived or acknowledged service, fails to appear with the minor on the date set by the court, a bench warrant may be issued for the parent or other person, the minor, or both.

(7) The appearance of the minor's legal guardian or custodian, or a person named as a respondent in a petition, in any proceeding under this Act shall constitute a waiver of service of summons and submission to the jurisdiction of the court. A copy of the summons and petition shall be provided to the person at the time of his appearance.

(8) The court shall not order the minor or his or her parent, guardian, or legal custodian to pay fees, fines, or administrative costs in the service of process.

(Source: P.A. 86-441.)

(705 ILCS 405/3-19) (from Ch. 37, par. 803-19)

Sec. 3-19. Guardian ad litem.

(1) Immediately upon the filing of a petition alleging that the minor requires authoritative intervention, the court may appoint a guardian ad litem for the minor if

(a) such petition alleges that the minor is the victim of sexual abuse or misconduct; or

(b) such petition alleges that charges alleging the commission of any of the sex offenses defined in Article 11 or in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, have been filed against a defendant in any court and that such minor is the alleged victim of the acts of the defendant in the commission of such offense.

(2) Unless the guardian ad litem appointed pursuant to paragraph (1) is an attorney at law he shall be represented in the performance of his duties by counsel.

(3) Before proceeding with the hearing, the court shall appoint a guardian ad litem for the minor if

(a) no parent, guardian, custodian or relative of the minor appears at the first or any subsequent hearing of the case;

(b) the petition prays for the appointment of a guardian with power to consent to adoption; or

(c) the petition for which the minor is before the court resulted from a report made pursuant to the Abused and Neglected Child Reporting Act.

(4) The court may appoint a guardian ad litem for the minor whenever it finds that there may be a conflict of interest between the minor and his parents or other custodian or that it is otherwise in the minor's interest to do so.

(5) The reasonable fees of a guardian ad litem appointed under this Section shall be fixed by the court and ~~charged to the parents of the minor, to the extent they are able to pay. If the parents are unable to pay those fees, they shall be~~ paid from the general fund of the county.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(705 ILCS 405/3-21) (from Ch. 37, par. 803-21)

Sec. 3-21. Continuance under supervision.

(1) The court may enter an order of continuance under supervision (a) upon an admission or stipulation by the appropriate respondent or minor respondent of the facts supporting the petition and before proceeding to findings and adjudication, or after hearing the evidence at the adjudicatory hearing but before noting in the minutes of proceedings a finding of whether or not the minor is a person requiring authoritative intervention; and (b) in the absence of objection made in open court by the minor, his parent, guardian, custodian, responsible relative, defense attorney or the State's Attorney.

(2) If the minor, his parent, guardian, custodian, responsible relative, defense attorney or State's Attorney, objects in open court to any such continuance and insists upon proceeding to findings and adjudication, the court shall so proceed.

(3) Nothing in this Section limits the power of the court to order a continuance of the hearing for the production of additional evidence or for any other proper reason.

(4) When a hearing where a minor is alleged to be a minor requiring authoritative intervention is continued pursuant to this Section, the court may permit the minor to remain in his home subject to such conditions concerning his conduct and supervision as the court may require by order.

(5) If a petition is filed charging a violation of a condition of the continuance under supervision, the court shall conduct a hearing. If the court finds that such condition of supervision has not been fulfilled the court may proceed to findings and adjudication and disposition. The filing of a petition for violation of a

condition of the continuance under supervision shall toll the period of continuance under supervision until the final determination of the charge, and the term of the continuance under supervision shall not run until the hearing and disposition of the petition for violation; provided where the petition alleges conduct that does not constitute a criminal offense, the hearing must be held within 15 days of the filing of the petition unless a delay in such hearing has been occasioned by the minor, in which case the delay shall continue the tolling of the period of continuance under supervision for the period of such delay.

(6) (Blank). ~~The court must impose upon a minor under an order of continuance under supervision or an order of disposition under this Article III, as a condition of the order, a fee of $25 for each month or partial month of supervision with a probation officer. If the court determines the inability of the minor, or the parent, guardian, or legal custodian of the minor to pay the fee, the court may impose a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under this Act. The fee may be imposed only upon a minor who is actively supervised by the probation and court services department. The fee must be collected by the clerk of the circuit court. The clerk of the circuit court must pay all monies collected from this fee to the county treasurer for deposit into the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.~~

(Source: P.A. 100-159, eff. 8-18-17.)

(705 ILCS 405/3-24) (from Ch. 37, par. 803-24)

Sec. 3-24. Kinds of dispositional orders.

(1) The following kinds of orders of disposition may be made in respect to wards of the court: A minor found to be requiring authoritative intervention under Section 3-3 may be (a) committed to the Department of Children and Family Services, subject to Section 5 of the Children and Family Services Act; (b) placed under supervision and released to his or her parents, guardian or legal custodian; (c) placed in accordance with Section 3-28 with or without also being placed under supervision. Conditions of supervision may be modified or terminated by the court if it deems that the best interests of the minor and the public will be served thereby; (d) ordered partially or completely emancipated in accordance with the provisions of the Emancipation of Minors Act; or (e) subject to having his or her driver's license or driving privilege suspended for such time as determined by the Court but only until he or she attains 18 years of age.

(2) Any order of disposition may provide for protective supervision under Section 3-25 and may include an order of protection under Section 3-26.

(3) Unless the order of disposition expressly so provides, it does not operate to close proceedings on the pending petition, but is subject to modification until final closing and discharge of the proceedings under Section 3-32.

(4) In addition to any other order of disposition, the court may order any person found to be a minor requiring authoritative intervention under Section 3-3 to make restitution, in monetary or non-monetary form, under the terms and conditions of Section 5-5-6 of the Unified Code of Corrections, except that the "presentence hearing" referred to therein shall be the dispositional hearing for purposes of this Section. The parent, guardian or legal custodian of the minor may pay some or all of such restitution on the minor's behalf.

(5) Any order for disposition where the minor is committed or placed in accordance with Section 3-28 shall provide for the parents or guardian of the estate of such minor to pay to the legal custodian or guardian of the person of the minor such sums as are determined by the custodian or guardian of the person of the minor as necessary for the minor's needs. Such payments may not exceed the maximum amounts provided for by Section 9.1 of the Children and Family Services Act.

(6) Whenever the order of disposition requires the minor to attend school or participate in a program of training, the truant officer or designated school official shall regularly report to the court if the minor is a chronic or habitual truant under Section 26-2a of the School Code.

(7) (Blank). ~~The court must impose upon a minor under an order of continuance under supervision or an order of disposition under this Article III, as a condition of the order, a fee of $25 for each month or partial month of supervision with a probation officer. If the court determines the inability of the minor, or the parent, guardian, or legal custodian of the minor to pay the fee, the court may impose a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under this Act. The fee may be imposed only upon a minor who is actively supervised by the probation and court services department. The fee must be collected by the clerk of the circuit court. The clerk of the circuit court must pay all monies collected from this fee to the county~~

~~treasurer for deposit into the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.~~

(Source: P.A. 100-159, eff. 8-18-17.)

(705 ILCS 405/3-33.5)

Sec. 3-33.5. Truant minors in need of supervision.

(a) Definition. A minor who is reported by the office of the regional superintendent of schools as a chronic truant may be subject to a petition for adjudication and adjudged a truant minor in need of supervision, provided that prior to the filing of the petition, the office of the regional superintendent of schools or a community truancy review board certifies that the local school has provided appropriate truancy intervention services to the truant minor and his or her family. For purposes of this Section, "truancy intervention services" means services designed to assist the minor's return to an educational program, and includes but is not limited to: assessments, counseling, mental health services, shelter, optional and alternative education programs, tutoring, and educational advocacy. If, after review by the regional office of education or community truancy review board, it is determined the local school did not provide the appropriate interventions, then the minor shall be referred to a comprehensive community based youth service agency for truancy intervention services. If the comprehensive community based youth service agency is incapable to provide intervention services, then this requirement for services is not applicable. The comprehensive community based youth service agency shall submit reports to the office of the regional superintendent of schools or truancy review board within 20, 40, and 80 school days of the initial referral or at any other time requested by the office of the regional superintendent of schools or truancy review board, which reports each shall certify the date of the minor's referral and the extent of the minor's progress and participation in truancy intervention services provided by the comprehensive community based youth service agency. In addition, if, after referral by the office of the regional superintendent of schools or community truancy review board, the minor declines or refuses to fully participate in truancy intervention services provided by the comprehensive community based youth service agency, then the agency shall immediately certify such facts to the office of the regional superintendent of schools or community truancy review board.

(a-1) There is a rebuttable presumption that a chronic truant is a truant minor in need of supervision.

(a-2) There is a rebuttable presumption that school records of a minor's attendance at school are authentic.

(a-3) For purposes of this Section, "chronic truant" has the meaning ascribed to it in Section 26-2a of the School Code.

(a-4) For purposes of this Section, a "community truancy review board" is a local community based board comprised of but not limited to: representatives from local comprehensive community based youth service agencies, representatives from court service agencies, representatives from local schools, representatives from health service agencies, and representatives from local professional and community organizations as deemed appropriate by the office of the regional superintendent of schools. The regional superintendent of schools must approve the establishment and organization of a community truancy review board, and the regional superintendent of schools or his or her designee shall chair the board.

(a-5) Nothing in this Section shall be construed to create a private cause of action or right of recovery against a regional office of education, its superintendent, or its staff with respect to truancy intervention services where the determination to provide the services is made in good faith.

(b) Kinds of dispositional orders. A minor found to be a truant minor in need of supervision may be:

(1) committed to the appropriate regional superintendent of schools for a student assistance team staffing, a service plan, or referral to a comprehensive community based youth service agency;

(2) required to comply with a service plan as specifically provided by the appropriate regional superintendent of schools;

(3) ordered to obtain counseling or other supportive services;

(4) (blank);

(5) required to perform some reasonable public service work that does not interfere with school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian ~~such as, but not limited to, the picking up of litter in public parks or along public highways or the maintenance of public facilities~~; or

(6) (blank).

A dispositional order may include public service only if the court has made an express written finding that a truancy prevention program has been offered by the school, regional superintendent of schools, or a comprehensive community based youth service agency to the truant minor in need of supervision.

(c) Orders entered under this Section may be enforced by contempt proceedings. The Court shall not order fees or fines in contempt proceedings under this Section.

(Source: P.A. 102-456, eff. 1-1-22.)

(705 ILCS 405/4-14) (from Ch. 37, par. 804-14)

Sec. 4-14. Summons. (1) When a petition is filed, the clerk of the court shall issue a summons with a copy of the petition attached. The summons shall be directed to the minor's legal guardian or custodian and to each person named as a respondent in the petition, except that summons need not be directed to a minor respondent under 8 years of age for whom the court appoints a guardian ad litem if the guardian ad litem appears on behalf of the minor in any proceeding under this Act.

(2) The summons must contain a statement that the minor or any of the respondents is entitled to have an attorney present at the hearing on the petition, and that the clerk of the court should be notified promptly if the minor or any other respondent desires to be represented by an attorney but is financially unable to employ counsel.

(3) The summons shall be issued under the seal of the court, attested to and signed with the name of the clerk of the court, dated on the day it is issued, and shall require each respondent to appear and answer the petition on the date set for the adjudicatory hearing.

(4) The summons may be served by any county sheriff, coroner or probation officer, even though the officer is the petitioner. The return of the summons with endorsement of service by the officer is sufficient proof thereof.

(5) Service of a summons and petition shall be made by: (a) leaving a copy thereof with the person summoned at least 3 days before the time stated therein for appearance; (b) leaving a copy at his usual place of abode with some person of the family, of the age of 10 years or upwards, and informing that person of the contents thereof, provided that the officer or other person making service shall also send a copy of the summons in a sealed envelope with postage fully prepaid, addressed to the person summoned at his usual place of abode, at least 3 days before the time stated therein for appearance; or (c) leaving a copy thereof with the guardian or custodian of a minor, at least 3 days before the time stated therein for appearance. If the guardian or custodian is an agency of the State of Illinois, proper service may be made by leaving a copy of the summons and petition with any administrative employee of such agency designated by such agency to accept service of summons and petitions. The certificate of the officer or affidavit of the person that he has sent the copy pursuant to this Section is sufficient proof of service.

(6) When a parent or other person, who has signed a written promise to appear and bring the minor to court or who has waived or acknowledged service, fails to appear with the minor on the date set by the court, a bench warrant may be issued for the parent or other person, the minor, or both.

(7) The appearance of the minor's legal guardian or custodian, or a person named as a respondent in a petition, in any proceeding under this Act shall constitute a waiver of service of summons and submission to the jurisdiction of the court. A copy of the summons and petition shall be provided to the person at the time of his appearance.

(8) The court shall not order the minor or his or her parent, guardian, or legal custodian to pay fees, fines, or administrative costs in the service of process.

(Source: P.A. 86-441.)

(705 ILCS 405/4-16) (from Ch. 37, par. 804-16)

Sec. 4-16. Guardian ad litem.

(1) Immediately upon the filing of a petition alleging that the minor is a person described in Section 4-3 of this Act, the court may appoint a guardian ad litem for the minor if:

(a) such petition alleges that the minor is the victim of sexual abuse or misconduct; or

(b) such petition alleges that charges alleging the commission of any of the sex offenses defined in Article 11 or in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, have been filed against a defendant in any court and that such minor is the alleged victim of the acts of the defendant in the commission of such offense.

Unless the guardian ad litem appointed pursuant to this paragraph (1) is an attorney at law he shall be represented in the performance of his duties by counsel.

(2) Before proceeding with the hearing, the court shall appoint a guardian ad litem for the minor if

(a) no parent, guardian, custodian or relative of the minor appears at the first or any subsequent hearing of the case;

(b) the petition prays for the appointment of a guardian with power to consent to adoption; or

(c) the petition for which the minor is before the court resulted from a report made pursuant to the Abused and Neglected Child Reporting Act.

(3) The court may appoint a guardian ad litem for the minor whenever it finds that there may be a conflict of interest between the minor and his parents or other custodian or that it is otherwise in the minor's interest to do so.

(4) Unless the guardian ad litem is an attorney, he shall be represented by counsel.

(5) The reasonable fees of a guardian ad litem appointed under this Section shall be fixed by the court and ~~charged to the parents of the minor, to the extent they are able to pay. If the parents are unable to pay those fees, they shall be~~ paid from the general fund of the county.

(Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

(705 ILCS 405/4-18) (from Ch. 37, par. 804-18)

Sec. 4-18. Continuance under supervision.

(1) The court may enter an order of continuance under supervision (a) upon an admission or stipulation by the appropriate respondent or minor respondent of the facts supporting the petition and before proceeding to findings and adjudication, or after hearing the evidence at the adjudicatory hearing but before noting in the minutes of the proceeding a finding of whether or not the minor is an addict, and (b) in the absence of objection made in open court by the minor, his parent, guardian, custodian, responsible relative, defense attorney or the State's Attorney.

(2) If the minor, his parent, guardian, custodian, responsible relative, defense attorney or State's Attorney, objects in open court to any such continuance and insists upon proceeding to findings and adjudication, the court shall so proceed.

(3) Nothing in this Section limits the power of the court to order a continuance of the hearing for the production of additional evidence or for any other proper reason.

(4) When a hearing is continued pursuant to this Section, the court may permit the minor to remain in his home subject to such conditions concerning his conduct and supervision as the court may require by order.

(5) If a petition is filed charging a violation of a condition of the continuance under supervision, the court shall conduct a hearing. If the court finds that such condition of supervision has not been fulfilled the court may proceed to findings and adjudication and disposition. The filing of a petition for violation of a condition of the continuance under supervision shall toll the period of continuance under supervision until the final determination of the charge, and the term of the continuance under supervision shall not run until the hearing and disposition of the petition for violation; provided where the petition alleges conduct that does not constitute a criminal offense, the hearing must be held within 15 days of the filing of the petition unless a delay in such hearing has been occasioned by the minor, in which case the delay shall continue the tolling of the period of continuance under supervision for the period of such delay.

(6) (Blank). ~~The court must impose upon a minor under an order of continuance under supervision or an order of disposition under this Article IV, as a condition of the order, a fee of $25 for each month or partial month of supervision with a probation officer. If the court determines the inability of the minor, or the parent, guardian, or legal custodian of the minor to pay the fee, the court may impose a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under this Act. The fee may be imposed only upon a minor who is actively supervised by the probation and court services department. The fee must be collected by the clerk of the circuit court. The clerk of the circuit court must pay all monies collected from this fee to the county treasurer for deposit into the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.~~

(Source: P.A. 100-159, eff. 8-18-17.)

(705 ILCS 405/4-21) (from Ch. 37, par. 804-21)

Sec. 4-21. Kinds of dispositional orders.

(1) A minor found to be addicted under Section 4-3 may be (a) committed to the Department of Children and Family Services, subject to Section 5 of the Children and Family Services Act; (b) placed under supervision and released to his or her parents, guardian or legal custodian; (c) placed in accordance with Section 4-25 with or without also being placed under supervision. Conditions of supervision may be modified or terminated by the court if it deems that the best interests of the minor and the public will be

served thereby; (d) required to attend an approved alcohol or drug abuse treatment or counseling program on an inpatient or outpatient basis instead of or in addition to the disposition otherwise provided for in this paragraph; (e) ordered partially or completely emancipated in accordance with the provisions of the Emancipation of Minors Act; or (f) subject to having his or her driver's license or driving privilege suspended for such time as determined by the Court but only until he or she attains 18 years of age. No disposition under this subsection shall provide for the minor's placement in a secure facility.

(2) Any order of disposition may provide for protective supervision under Section 4-22 and may include an order of protection under Section 4-23.

(3) Unless the order of disposition expressly so provides, it does not operate to close proceedings on the pending petition, but is subject to modification until final closing and discharge of the proceedings under Section 4-29.

(4) In addition to any other order of disposition, the court may order any minor found to be addicted under this Article as neglected with respect to his or her own injurious behavior, to make restitution, in monetary or non-monetary form, under the terms and conditions of Section 5-5-6 of the Unified Code of Corrections, except that the "presentence hearing" referred to therein shall be the dispositional hearing for purposes of this Section. The parent, guardian or legal custodian of the minor may pay some or all of such restitution on the minor's behalf.

(5) Any order for disposition where the minor is placed in accordance with Section 4-25 shall provide for the parents or guardian of the estate of such minor to pay to the legal custodian or guardian of the person of the minor such sums as are determined by the custodian or guardian of the person of the minor as necessary for the minor's needs. Such payments may not exceed the maximum amounts provided for by Section 9.1 of the Children and Family Services Act.

(6) Whenever the order of disposition requires the minor to attend school or participate in a program of training, the truant officer or designated school official shall regularly report to the court if the minor is a chronic or habitual truant under Section 26-2a of the School Code.

(7) (Blank). ~~The court must impose upon a minor under an order of continuance under supervision or an order of disposition under this Article IV, as a condition of the order, a fee of $25 for each month or partial month of supervision with a probation officer. If the court determines the inability of the minor, or the parent, guardian, or legal custodian of the minor to pay the fee, the court may impose a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under this Act. The fee may be imposed only upon a minor who is actively supervised by the probation and court services department. The fee must be collected by the clerk of the circuit court. The clerk of the circuit court must pay all monies collected from this fee to the county treasurer for deposit into the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.~~

(Source: P.A. 100-159, eff. 8-18-17.)

(705 ILCS 405/5-525)

Sec. 5-525. Service.

(1) Service by summons.

(a) Upon the commencement of a delinquency prosecution, the clerk of the court shall issue a summons with a copy of the petition attached. The summons shall be directed to the minor's parent, guardian or legal custodian and to each person named as a respondent in the petition, except that summons need not be directed (i) to a minor respondent under 8 years of age for whom the court appoints a guardian ad litem if the guardian ad litem appears on behalf of the minor in any proceeding under this Act, or (ii) to a parent who does not reside with the minor, does not make regular child support payments to the minor, to the minor's other parent, or to the minor's legal guardian or custodian pursuant to a support order, and has not communicated with the minor on a regular basis.

(b) The summons must contain a statement that the minor is entitled to have an attorney present at the hearing on the petition, and that the clerk of the court should be notified promptly if the minor desires to be represented by an attorney but is financially unable to employ counsel.

(c) The summons shall be issued under the seal of the court, attested in and signed with the name of the clerk of the court, dated on the day it is issued, and shall require each respondent to appear and answer the petition on the date set for the adjudicatory hearing.

(d) The summons may be served by any law enforcement officer, coroner or probation officer, even though the officer is the petitioner. The return of the summons with endorsement of service by the officer is sufficient proof of service.

(e) Service of a summons and petition shall be made by: (i) leaving a copy of the summons and petition with the person summoned at least 3 days before the time stated in the summons for appearance; (ii) leaving a copy at his or her usual place of abode with some person of the family, of the age of 10 years or upwards, and informing that person of the contents of the summons and petition, provided, the officer or other person making service shall also send a copy of the summons in a sealed envelope with postage fully prepaid, addressed to the person summoned at his or her usual place of abode, at least 3 days before the time stated in the summons for appearance; or (iii) leaving a copy of the summons and petition with the guardian or custodian of a minor, at least 3 days before the time stated in the summons for appearance. If the guardian or legal custodian is an agency of the State of Illinois, proper service may be made by leaving a copy of the summons and petition with any administrative employee of the agency designated by the agency to accept the service of summons and petitions. The certificate of the officer or affidavit of the person that he or she has sent the copy pursuant to this Section is sufficient proof of service.

(f) When a parent or other person, who has signed a written promise to appear and bring the minor to court or who has waived or acknowledged service, fails to appear with the minor on the date set by the court, a bench warrant may be issued for the parent or other person, the minor, or both.

(2) Service by certified mail or publication.

(a) If service on individuals as provided in subsection (1) is not made on any respondent within a reasonable time or if it appears that any respondent resides outside the State, service may be made by certified mail. In that case the clerk shall mail the summons and a copy of the petition to that respondent by certified mail marked for delivery to addressee only. The court shall not proceed with the adjudicatory hearing until 5 days after the mailing. The regular return receipt for certified mail is sufficient proof of service.

(b) If service upon individuals as provided in subsection (1) is not made on any respondents within a reasonable time or if any person is made a respondent under the designation of "All Whom It May Concern", or if service cannot be made because the whereabouts of a respondent are unknown, service may be made by publication. The clerk of the court as soon as possible shall cause publication to be made once in a newspaper of general circulation in the county where the action is pending. Service by publication is not required in any case when the person alleged to have legal custody of the minor has been served with summons personally or by certified mail, but the court may not enter any order or judgment against any person who cannot be served with process other than by publication unless service by publication is given or unless that person appears. Failure to provide service by publication to a non-custodial parent whose whereabouts are unknown shall not deprive the court of jurisdiction to proceed with a trial or a plea of delinquency by the minor. When a minor has been detained or sheltered under Section 5-501 of this Act and summons has not been served personally or by certified mail within 20 days from the date of the order of court directing such detention or shelter care, the clerk of the court shall cause publication. Service by publication shall be substantially as follows:

> "A, B, C, D, (here giving the names of the named respondents, if any) and to All Whom It May Concern (if there is any respondent under that designation):
>
> Take notice that on (insert date) a petition was filed under the Juvenile Court Act of 1987 by .... in the circuit court of .... county entitled 'In the interest of ...., a minor', and that in .... courtroom at .... on (insert date) at the hour of ...., or as soon thereafter as this cause may be heard, an adjudicatory hearing will be held upon the petition to have the child declared to be a ward of the court under that Act. The court has authority in this proceeding to take from you the custody and guardianship of the minor.
>
> Now, unless you appear at the hearing and show cause against the petition, the allegations of the petition may stand admitted as against you and each of you, and an order or judgment entered.
>
> .....
>
> Clerk
>
> Dated (insert the date of publication)"

(c) The clerk shall also at the time of the publication of the notice send a copy of the notice by mail to each of the respondents on account of whom publication is made at his or her last known address. The certificate of the clerk that he or she has mailed the notice is evidence of that mailing. No other publication notice is required. Every respondent notified by publication under this Section must

appear and answer in open court at the hearing. The court may not proceed with the adjudicatory hearing until 10 days after service by publication on any custodial parent, guardian or legal custodian of a minor alleged to be delinquent.

(d) If it becomes necessary to change the date set for the hearing in order to comply with this Section, notice of the resetting of the date must be given, by certified mail or other reasonable means, to each respondent who has been served with summons personally or by certified mail.

(3) Once jurisdiction has been established over a party, further service is not required and notice of any subsequent proceedings in that prosecution shall be made in accordance with provisions of Section 5-530.

(4) The appearance of the minor's parent, guardian or legal custodian, or a person named as a respondent in a petition, in any proceeding under this Act shall constitute a waiver of service and submission to the jurisdiction of the court. A copy of the petition shall be provided to the person at the time of his or her appearance.

(5) The court shall not require the minor or his or her parent, guardian, or legal custodian to pay fees, fines, or administrative costs in the service of process.

(Source: P.A. 90-590, eff. 1-1-99; 91-357, eff. 7-29-99.)

(705 ILCS 405/5-610)

Sec. 5-610. Guardian ad litem and appointment of attorney.

(1) The court may appoint a guardian ad litem for the minor whenever it finds that there may be a conflict of interest between the minor and his or her parent, guardian or legal custodian or that it is otherwise in the minor's interest to do so.

(2) Unless the guardian ad litem is an attorney, he or she shall be represented by counsel.

(3) The reasonable fees of a guardian ad litem appointed under this Section shall be fixed by the court and ~~charged to the parents of the minor, to the extent they are able to pay. If the parents are unable to pay those fees, they shall be~~ paid from the general fund of the county.

(4) If, during the court proceedings, the parents, guardian, or legal custodian prove that he or she has an actual conflict of interest with the minor in that delinquency proceeding and that the parents, guardian, or legal custodian are indigent, the court shall appoint a separate attorney for that parent, guardian, or legal custodian.

(5) A guardian ad litem appointed under this Section for a minor who is in the custody or guardianship of the Department of Children and Family Services or who has an open intact family services case with the Department of Children and Family Services is entitled to receive copies of any and all classified reports of child abuse or neglect made pursuant to the Abused and Neglected Child Reporting Act in which the minor, who is the subject of the report under the Abused and Neglected Child Reporting Act, is also a minor for whom the guardian ad litem is appointed under this Act. The Department of Children and Family Services' obligation under this subsection to provide reports to a guardian ad litem for a minor with an open intact family services case applies only if the guardian ad litem notified the Department in writing of the representation.

(Source: P.A. 100-158, eff. 1-1-18.)

(705 ILCS 405/5-615)

Sec. 5-615. Continuance under supervision.

(1) The court may enter an order of continuance under supervision for an offense other than first degree murder, a Class X felony or a forcible felony:

(a) upon an admission or stipulation by the appropriate respondent or minor respondent of the facts supporting the petition and before the court makes a finding of delinquency, and in the absence of objection made in open court by the minor, his or her parent, guardian, or legal custodian, the minor's attorney or the State's Attorney; or

(b) upon a finding of delinquency and after considering the circumstances of the offense and the history, character, and condition of the minor, if the court is of the opinion that:

(i) the minor is not likely to commit further crimes;

(ii) the minor and the public would be best served if the minor were not to receive a criminal record; and

(iii) in the best interests of justice an order of continuance under supervision is more appropriate than a sentence otherwise permitted under this Act.

(2) (Blank).

(3) Nothing in this Section limits the power of the court to order a continuance of the hearing for the production of additional evidence or for any other proper reason.

(4) When a hearing where a minor is alleged to be a delinquent is continued pursuant to this Section, the period of continuance under supervision may not exceed 24 months. The court may terminate a continuance under supervision at any time if warranted by the conduct of the minor and the ends of justice or vacate the finding of delinquency or both.

(5) When a hearing where a minor is alleged to be delinquent is continued pursuant to this Section, the court may, as conditions of the continuance under supervision, require the minor to do any of the following:

(a) not violate any criminal statute of any jurisdiction;

(b) make a report to and appear in person before any person or agency as directed by the court;

(c) work or pursue a course of study or vocational training;

(d) undergo medical or psychotherapeutic treatment rendered by a therapist licensed under the provisions of the Medical Practice Act of 1987, the Clinical Psychologist Licensing Act, or the Clinical Social Work and Social Work Practice Act, or an entity licensed by the Department of Human Services as a successor to the Department of Alcoholism and Substance Abuse, for the provision of substance use disorder services as defined in Section 1-10 of the Substance Use Disorder Act;

(e) attend or reside in a facility established for the instruction or residence of persons on probation;

(f) support his or her dependents, if any;

(g) (blank); ~~pay costs;~~

(h) refrain from possessing a firearm or other dangerous weapon, or an automobile;

(i) permit the probation officer to visit him or her at his or her home or elsewhere;

(j) reside with his or her parents or in a foster home;

(k) attend school;

(k-5) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she committed a crime of violence as defined in Section 2 of the Crime Victims Compensation Act in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(l) attend a non-residential program for youth;

(m) provide nonfinancial contributions ~~contribute~~ to his or her own support at home or in a foster home;

(n) perform some reasonable public or community service that does not interfere with school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian;

(o) make restitution to the victim, in the same manner and under the same conditions as provided in subsection (4) of Section 5-710, except that the "sentencing hearing" referred to in that Section shall be the adjudicatory hearing for purposes of this Section;

(p) comply with curfew requirements as designated by the court;

(q) refrain from entering into a designated geographic area except upon terms as the court finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the minor, and advance approval by a probation officer;

(r) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(r-5) undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body;

(s) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug; or

(t) comply with any other conditions as may be ordered by the court.

(6) A minor whose case is continued under supervision under subsection (5) shall be given a certificate setting forth the conditions imposed by the court. Those conditions may be reduced, enlarged, or modified by the court on motion of the probation officer or on its own motion, or that of the State's Attorney, or, at the request of the minor after notice and hearing.

(7) If a petition is filed charging a violation of a condition of the continuance under supervision, the court shall conduct a hearing. If the court finds that a condition of supervision has not been fulfilled, the court may proceed to findings, adjudication, and disposition or adjudication and disposition. The filing of a petition for violation of a condition of the continuance under supervision shall toll the period of continuance under supervision until the final determination of the charge, and the term of the continuance under supervision shall not run until the hearing and disposition of the petition for violation; provided where the petition alleges conduct that does not constitute a criminal offense, the hearing must be held within 30 days of the filing of the petition unless a delay shall continue the tolling of the period of continuance under supervision for the period of the delay.

(8) When a hearing in which a minor is alleged to be a delinquent for reasons that include a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 is continued under this Section, the court shall, as a condition of the continuance under supervision, require the minor to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage that was caused by the alleged violation or similar damage to property located in the municipality or county in which the alleged violation occurred. The condition may be in addition to any other condition. Community service shall not interfere with the school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian.

(8.5) When a hearing in which a minor is alleged to be a delinquent for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (d) of subsection (1) of Section 21-1 of the Criminal Code of 1961 or paragraph (4) of subsection (a) of Section 21-1 or the Criminal Code of 2012 is continued under this Section, the court shall, as a condition of the continuance under supervision, require the minor to undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The condition may be in addition to any other condition.

(9) When a hearing in which a minor is alleged to be a delinquent is continued under this Section, the court, before continuing the case, shall make a finding whether the offense alleged to have been committed either: (i) was related to or in furtherance of the activities of an organized gang or was motivated by the minor's membership in or allegiance to an organized gang, or (ii) is a violation of paragraph (13) of subsection (a) of Section 12-2 or paragraph (2) of subsection (c) of Section 12-2 of the Criminal Code of 1961 or the Criminal Code of 2012, a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of any statute that involved the unlawful use of a firearm. If the court determines the question in the affirmative the court shall, as a condition of the continuance under supervision and as part of or in addition to any other condition of the supervision, require the minor to perform community service for not less than 30 hours, provided that community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. The community service shall include, but need not be limited to, the cleanup and repair of any damage caused by an alleged violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located in the municipality or county in which the alleged violation occurred. When possible and reasonable, the community service shall be performed in the minor's neighborhood. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act. Community service shall not interfere with the school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian.

(10) (Blank). ~~The court shall impose upon a minor placed on supervision, as a condition of the supervision, a fee of $50 for each month of supervision ordered by the court, unless after determining the inability of the minor placed on supervision to pay the fee, the court assesses a lesser amount. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under this Act while the minor is in placement. The fee shall be imposed only upon a minor who is actively supervised by the probation and court services department. A court may order the parent, guardian, or legal custodian of the minor to pay some or all of the fee on the minor's behalf.~~

(11) (Blank).

(12) The court shall not, as a condition of continuance under supervision, order the minor or the minor's parent, guardian, or legal custodian to pay fees, fines, or costs, including any fee, fine, or administrative cost authorized under Section 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-9-1.4, or 5-9-1.9 of the Unified Code of Corrections. If the minor or the minor's parent, guardian, or legal custodian is unable to

cover the cost of a condition under this subsection, the court shall not preclude the minor from receiving continuance under supervision based on the inability to pay. Inability to pay shall not be grounds to object to the minor's placement on a continuance under supervision.

(Source: P.A. 100-159, eff. 8-18-17; 100-759, eff. 1-1-19; 101-2, eff. 7-1-19.)

(705 ILCS 405/5-710)

Sec. 5-710. Kinds of sentencing orders.

(1) The following kinds of sentencing orders may be made in respect of wards of the court:

(a) Except as provided in Sections 5-805, 5-810, and 5-815, a minor who is found guilty under Section 5-620 may be:

(i) put on probation or conditional discharge and released to his or her parents, guardian or legal custodian, provided, however, that any such minor who is not committed to the Department of Juvenile Justice under this subsection and who is found to be a delinquent for an offense which is first degree murder, a Class X felony, or a forcible felony shall be placed on probation;

(ii) placed in accordance with Section 5-740, with or without also being put on probation or conditional discharge;

(iii) required to undergo a substance abuse assessment conducted by a licensed provider and participate in the indicated clinical level of care;

(iv) on and after January 1, 2015 (the effective date of Public Act 98-803) and before January 1, 2017, placed in the guardianship of the Department of Children and Family Services, but only if the delinquent minor is under 16 years of age or, pursuant to Article II of this Act, a minor under the age of 18 for whom an independent basis of abuse, neglect, or dependency exists. On and after January 1, 2017, placed in the guardianship of the Department of Children and Family Services, but only if the delinquent minor is under 15 years of age or, pursuant to Article II of this Act, a minor for whom an independent basis of abuse, neglect, or dependency exists. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency;

(v) placed in detention for a period not to exceed 30 days, either as the exclusive order of disposition or, where appropriate, in conjunction with any other order of disposition issued under this paragraph, provided that any such detention shall be in a juvenile detention home and the minor so detained shall be 10 years of age or older. However, the 30-day limitation may be extended by further order of the court for a minor under age 15 committed to the Department of Children and Family Services if the court finds that the minor is a danger to himself or others. The minor shall be given credit on the sentencing order of detention for time spent in detention under Sections 5-501, 5-601, 5-710, or 5-720 of this Article as a result of the offense for which the sentencing order was imposed. The court may grant credit on a sentencing order of detention entered under a violation of probation or violation of conditional discharge under Section 5-720 of this Article for time spent in detention before the filing of the petition alleging the violation. A minor shall not be deprived of credit for time spent in detention before the filing of a violation of probation or conditional discharge alleging the same or related act or acts. The limitation that the minor shall only be placed in a juvenile detention home does not apply as follows:

Persons 18 years of age and older who have a petition of delinquency filed against them may be confined in an adult detention facility. In making a determination whether to confine a person 18 years of age or older who has a petition of delinquency filed against the person, these factors, among other matters, shall be considered:

(A) the age of the person;

(B) any previous delinquent or criminal history of the person;

(C) any previous abuse or neglect history of the person;

(D) any mental health history of the person; and

(E) any educational history of the person;

(vi) ordered partially or completely emancipated in accordance with the provisions of the Emancipation of Minors Act;

(vii) subject to having his or her driver's license or driving privileges suspended for such time as determined by the court but only until he or she attains 18 years of age;

(viii) put on probation or conditional discharge and placed in detention under Section 3-6039 of the Counties Code for a period not to exceed the period of incarceration permitted by law for adults found guilty of the same offense or offenses for which the minor was adjudicated delinquent, and in any event no longer than upon attainment of age 21; this subdivision (viii) notwithstanding any contrary provision of the law;

(ix) ordered to undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body; or

(x) placed in electronic monitoring or home detention under Part 7A of this Article.

(b) A minor found to be guilty may be committed to the Department of Juvenile Justice under Section 5-750 if the minor is at least 13 years and under 20 years of age, provided that the commitment to the Department of Juvenile Justice shall be made only if the minor was found guilty of a felony offense or first degree murder. The court shall include in the sentencing order any pre-custody credits the minor is entitled to under Section 5-4.5-100 of the Unified Code of Corrections. The time during which a minor is in custody before being released upon the request of a parent, guardian or legal custodian shall also be considered as time spent in custody.

(c) When a minor is found to be guilty for an offense which is a violation of the Illinois Controlled Substances Act, the Cannabis Control Act, or the Methamphetamine Control and Community Protection Act and made a ward of the court, the court may enter a disposition order requiring the minor to undergo assessment, counseling or treatment in a substance use disorder treatment program approved by the Department of Human Services.

(2) Any sentencing order other than commitment to the Department of Juvenile Justice may provide for protective supervision under Section 5-725 and may include an order of protection under Section 5-730.

(3) Unless the sentencing order expressly so provides, it does not operate to close proceedings on the pending petition, but is subject to modification until final closing and discharge of the proceedings under Section 5-750.

(4) In addition to any other sentence, the court may order any minor found to be delinquent to make restitution, in monetary or non-monetary form, under the terms and conditions of Section 5-5-6 of the Unified Code of Corrections, except that the "presentencing hearing" referred to in that Section shall be the sentencing hearing for purposes of this Section. The parent, guardian or legal custodian of the minor may be ordered by the court to pay some or all of the restitution on the minor's behalf, pursuant to the Parental Responsibility Law. The State's Attorney is authorized to act on behalf of any victim in seeking restitution in proceedings under this Section, up to the maximum amount allowed in Section 5 of the Parental Responsibility Law.

(5) Any sentencing order where the minor is committed or placed in accordance with Section 5-740 shall provide for the parents or guardian of the estate of the minor to pay to the legal custodian or guardian of the person of the minor such sums as are determined by the custodian or guardian of the person of the minor as necessary for the minor's needs. The payments may not exceed the maximum amounts provided for by Section 9.1 of the Children and Family Services Act.

(6) Whenever the sentencing order requires the minor to attend school or participate in a program of training, the truant officer or designated school official shall regularly report to the court if the minor is a chronic or habitual truant under Section 26-2a of the School Code. Notwithstanding any other provision of this Act, in instances in which educational services are to be provided to a minor in a residential facility where the minor has been placed by the court, costs incurred in the provision of those educational services must be allocated based on the requirements of the School Code.

(7) In no event shall a guilty minor be committed to the Department of Juvenile Justice for a period of time in excess of that period for which an adult could be committed for the same act. The court shall include in the sentencing order a limitation on the period of confinement not to exceed the maximum period of imprisonment the court could impose under Chapter V of the Unified Code of Corrections.

(7.5) In no event shall a guilty minor be committed to the Department of Juvenile Justice or placed in detention when the act for which the minor was adjudicated delinquent would not be illegal if committed by an adult.

(7.6) In no event shall a guilty minor be committed to the Department of Juvenile Justice for an offense which is a Class 4 felony under Section 19-4 (criminal trespass to a residence), 21-1 (criminal damage to property), 21-1.01 (criminal damage to government supported property), 21-1.3 (criminal defacement of property), 26-1 (disorderly conduct), or 31-4 (obstructing justice) of the Criminal Code of 2012.

(7.75) In no event shall a guilty minor be committed to the Department of Juvenile Justice for an offense that is a Class 3 or Class 4 felony violation of the Illinois Controlled Substances Act unless the commitment occurs upon a third or subsequent judicial finding of a violation of probation for substantial noncompliance with court-ordered treatment or programming.

(8) A minor found to be guilty for reasons that include a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall be ordered to perform community service for not less than 30 and not more than 120 hours, if community service is available in the jurisdiction. The community service shall include, but need not be limited to, the cleanup and repair of the damage that was caused by the violation or similar damage to property located in the municipality or county in which the violation occurred. The order may be in addition to any other order authorized by this Section. Community service shall not interfere with the school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian.

(8.5) A minor found to be guilty for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (d) of subsection (1) of Section 21-1 of the Criminal Code of 1961 or paragraph (4) of subsection (a) of Section 21-1 of the Criminal Code of 2012 shall be ordered to undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The order may be in addition to any other order authorized by this Section.

(9) In addition to any other sentencing order, the court shall order any minor found to be guilty for an act which would constitute, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or criminal sexual abuse if committed by an adult to undergo medical testing to determine whether the defendant has any sexually transmissible disease including a test for infection with human immunodeficiency virus (HIV) or any other identified causative agency of acquired immunodeficiency syndrome (AIDS). Any medical test shall be performed only by appropriately licensed medical practitioners and may include an analysis of any bodily fluids as well as an examination of the minor's person. Except as otherwise provided by law, the results of the test shall be kept strictly confidential by all medical personnel involved in the testing and must be personally delivered in a sealed envelope to the judge of the court in which the sentencing order was entered for the judge's inspection in camera. Acting in accordance with the best interests of the victim and the public, the judge shall have the discretion to determine to whom the results of the testing may be revealed. The court shall notify the minor of the results of the test for infection with the human immunodeficiency virus (HIV). The court shall also notify the victim if requested by the victim, and if the victim is under the age of 15 and if requested by the victim's parents or legal guardian, the court shall notify the victim's parents or the legal guardian, of the results of the test for infection with the human immunodeficiency virus (HIV). The court shall provide information on the availability of HIV testing and counseling at the Department of Public Health facilities to all parties to whom the results of the testing are revealed. The court shall order that the cost of any test shall be paid by the county ~~and may be taxed as costs against the minor~~.

(10) When a court finds a minor to be guilty the court shall, before entering a sentencing order under this Section, make a finding whether the offense committed either: (a) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the minor's membership in or allegiance to an organized gang, or (b) involved a violation of subsection (a) of Section 12-7.1 of the Criminal Code of 1961 or the Criminal Code of 2012, a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012, or a violation of any statute that involved the wrongful use of a firearm. If the court determines the question in the affirmative, and the court does not commit the minor to the Department of Juvenile Justice, the court shall order the minor to perform community service for not less than 30 hours nor more than 120 hours, provided that community service is available in the jurisdiction and is funded and approved by the county board of the county where the offense was committed. The community service shall include, but need not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located in the municipality or county in which the violation occurred. When possible and reasonable, the community service shall be performed in the minor's neighborhood. This order shall be in addition to any other order authorized by this Section except for an order to place the minor in the custody of the Department of Juvenile Justice. Community service shall not interfere with the school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian. For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(11) If the court determines that the offense was committed in furtherance of the criminal activities of an organized gang, as provided in subsection (10), and that the offense involved the operation or use of a motor vehicle or the use of a driver's license or permit, the court shall notify the Secretary of State of that determination and of the period for which the minor shall be denied driving privileges. If, at the time of the determination, the minor does not hold a driver's license or permit, the court shall provide that the minor shall not be issued a driver's license or permit until his or her 18th birthday. If the minor holds a driver's license or permit at the time of the determination, the court shall provide that the minor's driver's license or permit shall be revoked until his or her 21st birthday, or until a later date or occurrence determined by the court. If the minor holds a driver's license at the time of the determination, the court may direct the Secretary of State to issue the minor a judicial driving permit, also known as a JDP. The JDP shall be subject to the same terms as a JDP issued under Section 6-206.1 of the Illinois Vehicle Code, except that the court may direct that the JDP be effective immediately.

(12) (Blank).

(13) The court shall not order a minor or the minor's parent, guardian, or legal custodian to pay costs relating to any sentencing order, including any fee, fine, or administrative cost authorized under Section 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-9-1.4, or 5-9-1.9 of the Unified Code of Corrections. The inability of a minor, or minor's parent, guardian, or legal custodian, to cover the costs associated with an appropriate sentencing order shall not be the basis for the court to enter a sentencing order incongruent with the court's findings regarding the offense on which the minor was adjudicated or the mitigating factors.

(Source: P.A. 101-2, eff. 7-1-19; 101-79, eff. 7-12-19; 101-159, eff. 1-1-20; 102-558, eff. 8-20-21.)

(705 ILCS 405/5-715)

Sec. 5-715. Probation.

(1) The period of probation or conditional discharge shall not exceed 5 years or until the minor has attained the age of 21 years, whichever is less, except as provided in this Section for a minor who is found to be guilty for an offense which is first degree murder. The juvenile court may terminate probation or conditional discharge and discharge the minor at any time if warranted by the conduct of the minor and the ends of justice; provided, however, that the period of probation for a minor who is found to be guilty for an offense which is first degree murder shall be at least 5 years.

(1.5) The period of probation for a minor who is found guilty of aggravated criminal sexual assault, criminal sexual assault, or aggravated battery with a firearm shall be at least 36 months. The period of probation for a minor who is found to be guilty of any other Class X felony shall be at least 24 months. The period of probation for a Class 1 or Class 2 forcible felony shall be at least 18 months. Regardless of the length of probation ordered by the court, for all offenses under this paragraph (1.5), the court shall schedule hearings to determine whether it is in the best interest of the minor and public safety to terminate probation after the minimum period of probation has been served. In such a hearing, there shall be a rebuttable presumption that it is in the best interest of the minor and public safety to terminate probation.

(2) The court may as a condition of probation or of conditional discharge require that the minor:

(a) not violate any criminal statute of any jurisdiction;

(b) make a report to and appear in person before any person or agency as directed by the court;

(c) work or pursue a course of study or vocational training;

(d) undergo medical or psychiatric treatment, rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist or social work services rendered by a clinical social worker, or treatment for drug addiction or alcoholism;

(e) attend or reside in a facility established for the instruction or residence of persons on probation;

(f) support his or her dependents, if any;

(g) refrain from possessing a firearm or other dangerous weapon, or an automobile;

(h) permit the probation officer to visit him or her at his or her home or elsewhere;

(i) reside with his or her parents or in a foster home;

(j) attend school;

(j-5) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she committed a crime of violence as defined in Section 2 of the Crime Victims Compensation Act in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(k) attend a non-residential program for youth;

(l) make restitution under the terms of subsection (4) of Section 5-710;

(m) provide nonfinancial contributions ~~contribute~~ to his or her own support at home or in a foster home;

(n) perform some reasonable public or community service that does not interfere with school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian;

(o) participate with community corrections programs including unified delinquency intervention services administered by the Department of Human Services subject to Section 5 of the Children and Family Services Act;

(p) (blank) ~~pay costs~~;

(q) serve a term of home confinement. In addition to any other applicable condition of probation or conditional discharge, the conditions of home confinement shall be that the minor:

(i) remain within the interior premises of the place designated for his or her confinement during the hours designated by the court;

(ii) admit any person or agent designated by the court into the minor's place of confinement at any time for purposes of verifying the minor's compliance with the conditions of his or her confinement; and

(iii) use an approved electronic monitoring device if ordered by the court subject to Article 8A of Chapter V of the Unified Code of Corrections;

(r) refrain from entering into a designated geographic area except upon terms as the court finds appropriate. The terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the minor, and advance approval by a probation officer, if the minor has been placed on probation, or advance approval by the court, if the minor has been placed on conditional discharge;

(s) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(s-5) undergo a medical or other procedure to have a tattoo symbolizing allegiance to a street gang removed from his or her body;

(t) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and shall submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug; or

(u) comply with other conditions as may be ordered by the court.

(3) The court may as a condition of probation or of conditional discharge require that a minor found guilty on any alcohol, cannabis, methamphetamine, or controlled substance violation, refrain from acquiring a driver's license during the period of probation or conditional discharge. If the minor is in possession of a permit or license, the court may require that the minor refrain from driving or operating any motor vehicle during the period of probation or conditional discharge, except as may be necessary in the course of the minor's lawful employment.

(3.5) The court shall, as a condition of probation or of conditional discharge, require that a minor found to be guilty and placed on probation for reasons that include a violation of Section 3.02 or Section 3.03 of the Humane Care for Animals Act or paragraph (4) of subsection (a) of Section 21-1 of the Criminal Code of 2012 undergo medical or psychiatric treatment rendered by a psychiatrist or psychological treatment rendered by a clinical psychologist. The condition may be in addition to any other condition.

(3.10) The court shall order that a minor placed on probation or conditional discharge for a sex offense as defined in the Sex Offender Management Board Act undergo and successfully complete sex offender treatment. The treatment shall be in conformance with the standards developed under the Sex Offender Management Board Act and conducted by a treatment provider approved by the Board. ~~The treatment shall be at the expense of the person evaluated based upon that person's ability to pay for the treatment.~~

(4) A minor on probation or conditional discharge shall be given a certificate setting forth the conditions upon which he or she is being released.

(5) (Blank). ~~The court shall impose upon a minor placed on probation or conditional discharge, as a condition of the probation or conditional discharge, a fee of $50 for each month of probation or conditional discharge supervision ordered by the court, unless after determining the inability of the minor placed on probation or conditional discharge to pay the fee, the court assesses a lesser amount. The court may not~~

~~impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under this Act while the minor is in placement. The fee shall be imposed only upon a minor who is actively supervised by the probation and court services department. The court may order the parent, guardian, or legal custodian of the minor to pay some or all of the fee on the minor's behalf.~~

(5.5) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. ~~The probation department within the circuit to which jurisdiction has been transferred, or which has agreed to provide supervision, may impose probation fees upon receiving the transferred offender, as provided in subsection (i) of Section 5-6-3 of the Unified Code of Corrections. For all transfer cases, as defined in Section 9b of the Probation and Probation Officers Act, the probation department from the original sentencing court shall retain all probation fees collected prior to the transfer. After the transfer, all probation fees shall be paid to the probation department within the circuit to which jurisdiction has been transferred.~~

If the transfer case originated in another state and has been transferred under the Interstate Compact for Juveniles to the jurisdiction of an Illinois circuit court for supervision by an Illinois probation department, probation fees may be imposed only if permitted by the Interstate Commission for Juveniles.

(6) The General Assembly finds that in order to protect the public, the juvenile justice system must compel compliance with the conditions of probation by responding to violations with swift, certain, and fair punishments and intermediate sanctions. The Chief Judge of each circuit shall adopt a system of structured, intermediate sanctions for violations of the terms and conditions of a sentence of supervision, probation or conditional discharge, under this Act.

The court shall provide as a condition of a disposition of probation, conditional discharge, or supervision, that the probation agency may invoke any sanction from the list of intermediate sanctions adopted by the chief judge of the circuit court for violations of the terms and conditions of the sentence of probation, conditional discharge, or supervision, subject to the provisions of Section 5-720 of this Act.

(7) The court shall not, as a condition of probation, conditional discharge, or supervision, order the minor or the minor's parent, guardian, or legal custodian to pay fees, fines, or costs, including any fee, fine, or administrative cost authorized under Section 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-9-1.4, or 5-9-1.9 of the Unified Code of Corrections. If the minor or the minor's parent, guardian, or legal custodian is unable to cover the cost of a condition under this subsection, the court shall not preclude the minor from receiving probation, conditional discharge, or supervision based on the inability to pay. Inability to pay shall not be grounds to object to the minor's placement on probation, conditional discharge, or supervision.

(Source: P.A. 99-879, eff. 1-1-17; 100-159, eff. 8-18-17.)

(705 ILCS 405/5-915)

Sec. 5-915. Expungement of juvenile law enforcement and juvenile court records.

(0.05) (Blank).

(0.1) (a) The Illinois State Police and all law enforcement agencies within the State shall automatically expunge, on or before January 1 of each year, except as described in paragraph (c) of subsection (0.1), all juvenile law enforcement records relating to events occurring before an individual's 18th birthday if:

(1) one year or more has elapsed since the date of the arrest or law enforcement interaction documented in the records;

(2) no petition for delinquency or criminal charges were filed with the clerk of the circuit court relating to the arrest or law enforcement interaction documented in the records; and

(3) 6 months have elapsed since the date of the arrest without an additional subsequent arrest or filing of a petition for delinquency or criminal charges whether related or not to the arrest or law enforcement interaction documented in the records.

(b) If the law enforcement agency is unable to verify satisfaction of conditions (2) and (3) of this subsection (0.1), records that satisfy condition (1) of this subsection (0.1) shall be automatically expunged if the records relate to an offense that if committed by an adult would not be an offense classified as a Class 2 felony or higher, an offense under Article 11 of the Criminal Code of 1961 or Criminal Code of 2012, or an offense under Section 12-13, 12-14, 12-14.1, 12-15, or 12-16 of the Criminal Code of 1961.

(c) If the juvenile law enforcement record was received through a public submission to a statewide student confidential reporting system administered by the Illinois State Police, the record will be maintained for a period of 5 years according to all other provisions in subsection (0.1).

(0.15) If a juvenile law enforcement record meets paragraph (a) of subsection (0.1) of this Section, a juvenile law enforcement record created:

(1) prior to January 1, 2018, but on or after January 1, 2013 shall be automatically expunged prior to January 1, 2020;

(2) prior to January 1, 2013, but on or after January 1, 2000, shall be automatically expunged prior to January 1, 2023; and

(3) prior to January 1, 2000 shall not be subject to the automatic expungement provisions of this Act.

Nothing in this subsection (0.15) shall be construed to restrict or modify an individual's right to have his or her juvenile law enforcement records expunged except as otherwise may be provided in this Act.

(0.2) (a) Upon dismissal of a petition alleging delinquency or upon a finding of not delinquent, the successful termination of an order of supervision, or the successful termination of an adjudication for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult, the court shall automatically order the expungement of the juvenile court records and juvenile law enforcement records. The clerk shall deliver a certified copy of the expungement order to the Illinois State Police and the arresting agency. Upon request, the State's Attorney shall furnish the name of the arresting agency. The expungement shall be completed within 60 business days after the receipt of the expungement order.

(b) If the chief law enforcement officer of the agency, or his or her designee, certifies in writing that certain information is needed for a pending investigation involving the commission of a felony, that information, and information identifying the juvenile, may be retained until the statute of limitations for the felony has run. If the chief law enforcement officer of the agency, or his or her designee, certifies in writing that certain information is needed with respect to an internal investigation of any law enforcement office, that information and information identifying the juvenile may be retained within an intelligence file until the investigation is terminated or the disciplinary action, including appeals, has been completed, whichever is later. Retention of a portion of a juvenile's law enforcement record does not disqualify the remainder of his or her record from immediate automatic expungement.

(0.3) (a) Upon an adjudication of delinquency based on any offense except a disqualified offense, the juvenile court shall automatically order the expungement of the juvenile court and law enforcement records 2 years after the juvenile's case was closed if no delinquency or criminal proceeding is pending and the person has had no subsequent delinquency adjudication or criminal conviction. The clerk shall deliver a certified copy of the expungement order to the Illinois State Police and the arresting agency. Upon request, the State's Attorney shall furnish the name of the arresting agency. The expungement shall be completed within 60 business days after the receipt of the expungement order. In this subsection (0.3), "disqualified offense" means any of the following offenses: Section 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 12-2, 12-3.05, 12-3.3, 12-4.4a, 12-5.02, 12-6.2, 12-6.5, 12-7.1, 12-7.5, 12-20.5, 12-32, 12-33, 12-34, 12-34.5, 18-1, 18-2, 18-3, 18-4, 18-6, 19-3, 19-6, 20-1, 20-1.1, 24-1.2, 24-1.2-5, 24-1.5, 24-3A, 24-3B, 24-3.2, 24-3.8, 24-3.9, 29D-14.9, 29D-20, 30-1, 31-1a, 32-4a, or 33A-2 of the Criminal Code of 2012, or subsection (b) of Section 8-1, paragraph (4) of subsection (a) of Section 11-14.4, subsection (a-5) of Section 12-3.1, paragraph (1), (2), or (3) of subsection (a) of Section 12-6, subsection (a-3) or (a-5) of Section 12-7.3, paragraph (1) or (2) of subsection (a) of Section 12-7.4, subparagraph (i) of paragraph (1) of subsection (a) of Section 12-9, subparagraph (H) of paragraph (3) of subsection (a) of Section 24-1.6, paragraph (1) of subsection (a) of Section 25-1, or subsection (a-7) of Section 31-1 of the Criminal Code of 2012.

(b) If the chief law enforcement officer of the agency, or his or her designee, certifies in writing that certain information is needed for a pending investigation involving the commission of a felony, that information, and information identifying the juvenile, may be retained in an intelligence file until the investigation is terminated or for one additional year, whichever is sooner. Retention of a portion of a juvenile's juvenile law enforcement record does not disqualify the remainder of his or her record from immediate automatic expungement.

(0.4) Automatic expungement for the purposes of this Section shall not require law enforcement agencies to obliterate or otherwise destroy juvenile law enforcement records that would otherwise need to be automatically expunged under this Act, except after 2 years following the subject arrest for purposes of use in civil litigation against a governmental entity or its law enforcement agency or personnel which created, maintained, or used the records. However, these juvenile law enforcement records shall be considered

expunged for all other purposes during this period and the offense, which the records or files concern, shall be treated as if it never occurred as required under Section 5-923.

(0.5) Subsection (0.1) or (0.2) of this Section does not apply to violations of traffic, boating, fish and game laws, or county or municipal ordinances.

(0.6) Juvenile law enforcement records of a plaintiff who has filed civil litigation against the governmental entity or its law enforcement agency or personnel that created, maintained, or used the records, or juvenile law enforcement records that contain information related to the allegations set forth in the civil litigation may not be expunged until after 2 years have elapsed after the conclusion of the lawsuit, including any appeal.

(0.7) Officer-worn body camera recordings shall not be automatically expunged except as otherwise authorized by the Law Enforcement Officer-Worn Body Camera Act.

(1) Whenever a person has been arrested, charged, or adjudicated delinquent for an incident occurring before his or her 18th birthday that if committed by an adult would be an offense, and that person's juvenile law enforcement and juvenile court records are not eligible for automatic expungement under subsection (0.1), (0.2), or (0.3), the person may petition the court at any time at no cost to the person for expungement of juvenile law enforcement records and juvenile court records relating to the incident and, upon termination of all juvenile court proceedings relating to that incident, the court shall order the expungement of all records in the possession of the Illinois State Police, the clerk of the circuit court, and law enforcement agencies relating to the incident, but only in any of the following circumstances:

(a) the minor was arrested and no petition for delinquency was filed with the clerk of the circuit court;

(a-5) the minor was charged with an offense and the petition or petitions were dismissed without a finding of delinquency;

(b) the minor was charged with an offense and was found not delinquent of that offense;

(c) the minor was placed under supervision under Section 5-615, and the order of supervision has since been successfully terminated; or

(d) the minor was adjudicated for an offense which would be a Class B misdemeanor, Class C misdemeanor, or a petty or business offense if committed by an adult.

(1.5) At no cost to the person, the ~~The~~ Illinois State Police shall allow a person to use the Access and Review process, established in the Illinois State Police, for verifying that his or her juvenile law enforcement records relating to incidents occurring before his or her 18th birthday eligible under this Act have been expunged.

(1.6) (Blank).

(1.7) (Blank).

(1.8) (Blank).

(2) Any person whose delinquency adjudications are not eligible for automatic expungement under subsection (0.3) of this Section may petition the court at no cost to the person to expunge all juvenile law enforcement records relating to any incidents occurring before his or her 18th birthday which did not result in proceedings in criminal court and all juvenile court records with respect to any adjudications except those based upon first degree murder or an offense under Article 11 of the Criminal Code of 2012 if the person is required to register under the Sex Offender Registration Act at the time he or she petitions the court for expungement; provided that 2 years have elapsed since all juvenile court proceedings relating to him or her have been terminated and his or her commitment to the Department of Juvenile Justice under this Act has been terminated.

(2.5) If a minor is arrested and no petition for delinquency is filed with the clerk of the circuit court at the time the minor is released from custody, the youth officer, if applicable, or other designated person from the arresting agency, shall notify verbally and in writing to the minor or the minor's parents or guardians that the minor shall have an arrest record and shall provide the minor and the minor's parents or guardians with an expungement information packet, information regarding this State's expungement laws including a petition to expunge juvenile law enforcement and juvenile court records obtained from the clerk of the circuit court.

(2.6) If a minor is referred to court, then, at the time of sentencing, dismissal of the case, or successful completion of supervision, the judge shall inform the delinquent minor of his or her rights regarding expungement and the clerk of the circuit court shall provide an expungement information packet to the minor, written in plain language, including information regarding this State's expungement laws and a petition for expungement, a sample of a completed petition, expungement instructions that shall include

information informing the minor that (i) once the case is expunged, it shall be treated as if it never occurred, (ii) he or she shall not be charged a fee to petition for expungement ~~may apply to have petition fees waived~~, (iii) once he or she obtains an expungement, he or she may not be required to disclose that he or she had a juvenile law enforcement or juvenile court record, and (iv) if petitioning he or she may file the petition on his or her own or with the assistance of an attorney. The failure of the judge to inform the delinquent minor of his or her right to petition for expungement as provided by law does not create a substantive right, nor is that failure grounds for: (i) a reversal of an adjudication of delinquency; (ii) a new trial; or (iii) an appeal.

(2.7) (Blank).

(2.8) (Blank).

(3) (Blank).

(3.1) (Blank).

(3.2) (Blank).

(3.3) (Blank).

(4) (Blank).

(5) (Blank).

(5.5) Whether or not expunged, records eligible for automatic expungement under subdivision (0.1)(a), (0.2)(a), or (0.3)(a) may be treated as expunged by the individual subject to the records.

(6) (Blank).

(6.5) The Illinois State Police or any employee of the Illinois State Police shall be immune from civil or criminal liability for failure to expunge any records of arrest that are subject to expungement under this Section because of inability to verify a record. Nothing in this Section shall create Illinois State Police liability or responsibility for the expungement of juvenile law enforcement records it does not possess.

(7) (Blank).

(7.5) (Blank).

(8) The expungement of juvenile law enforcement or juvenile court records under subsection (0.1), (0.2), or (0.3) of this Section shall be funded by appropriation by the General Assembly for that purpose.

(9) (Blank).

(10) (Blank).

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-752, eff. 1-1-23; revised 8-23-22.)

(705 ILCS 405/6-7) (from Ch. 37, par. 806-7)

Sec. 6-7. Financial responsibility of counties.

(1) Each county board shall provide in its annual appropriation ordinance or annual budget, as the case may be, a reasonable sum for payments for the care and support of minors, and for payments for court appointed counsel in accordance with orders entered under this Act in an amount which in the judgment of the county board may be needed for that purpose. Such appropriation or budget item constitutes a separate fund into which shall be paid ~~not only~~ the moneys appropriated by the county board, and ~~but also~~ all reimbursements by ~~parents and~~ other persons and by the State. For cases involving minors subject to Article III, IV, or V of this Act or minors under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of this Act, the county board shall not seek reimbursement from a minor or the minor's parent, guardian, or legal custodian.

(2) No county may be charged with the care and support of any minor who is not a resident of the county unless his parents or guardian are unknown or the minor's place of residence cannot be determined.

(3) No order upon the county for care and support of a minor may be entered until the president or chairman of the county board has had due notice that such a proceeding is pending.

(Source: P.A. 85-1235; 85-1443; 86-820.)

(705 ILCS 405/6-9) (from Ch. 37, par. 806-9)

Sec. 6-9. Enforcement of liability of parents and others.

(1) If parentage is at issue in any proceeding under this Act, other than cases involving those exceptions to the definition of parent set out in item (11) in Section 1-3, then the Illinois Parentage Act of 2015 shall apply and the court shall enter orders consistent with that Act. If it appears at any hearing that a parent or any other person named in the petition, liable under the law for the support of the minor, is able to contribute to his or her support, the court shall enter an order requiring that parent or other person to pay the clerk of the court, or to the guardian or custodian appointed under Section 2-27 ~~Sections 2-27, 3-28, 4-25 or 5-740~~, a reasonable sum from time to time for the care, support, and necessary special care or treatment~~,~~ of the minor. If the court determines at any hearing that a parent or any other person named in the petition, liable under the law for the support of the minor, is able to contribute to help defray the costs associated

with the minor's detention in a county or regional detention center, the court shall enter an order requiring that parent or other person to pay the clerk of the court a reasonable sum for the care and support of the minor. The court may require reasonable security for the payments. Upon failure to pay, the court may enforce obedience to the order by a proceeding as for contempt of court.

The court shall not order a parent, guardian, or legal custodian liable under the law for the support of a minor to pay for costs associated with detention, legal representation, or other matters under Article III, IV, or V of this Act.

~~If it appears that the person liable for the support of the minor is able to contribute to legal fees for representation of the minor, the court shall enter an order requiring that person to pay a reasonable sum for the representation, to the attorney providing the representation or to the clerk of the court for deposit in the appropriate account or fund. The sum may be paid as the court directs, and the payment thereof secured and enforced as provided in this Section for support.~~

~~If it appears at the detention or shelter care hearing of a minor before the court under Section 5-501 that a parent or any other person liable for support of the minor is able to contribute to his or her support, that parent or other person shall be required to pay a fee for room and board at a rate not to exceed $10 per day established, with the concurrence of the chief judge of the judicial circuit, by the county board of the county in which the minor is detained unless the court determines that it is in the best interest and welfare of the minor to waive the fee. The concurrence of the chief judge shall be in the form of an administrative order. Each week, on a day designated by the clerk of the circuit court, that parent or other person shall pay the clerk for the minor's room and board. All fees for room and board collected by the circuit court clerk shall be disbursed into the separate county fund under Section 6-7.~~

~~Upon application, the court shall waive liability for support or legal fees under this Section if the parent or other person establishes that he or she is indigent and unable to pay the incurred liability, and the court may reduce or waive liability if the parent or other person establishes circumstances showing that full payment of support or legal fees would result in financial hardship to the person or his or her family.~~

(2) (Blank). ~~When a person so ordered to pay for the care and support of a minor is employed for wages, salary or commission, the court may order him to make the support payments for which he is liable under this Act out of his wages, salary or commission and to assign so much thereof as will pay the support. The court may also order him to make discovery to the court as to his place of employment and the amounts earned by him. Upon his failure to obey the orders of court he may be punished as for contempt of court.~~

(3) If the minor is a recipient of public aid under the Illinois Public Aid Code, the court shall order that payments made by a parent or through assignment of his wages, salary or commission be made directly to (a) the Department of Healthcare and Family Services if the minor is a recipient of aid under Article V of the Code, (b) the Department of Human Services if the minor is a recipient of aid under Article IV of the Code, or (c) the local governmental unit responsible for the support of the minor if he is a recipient under Articles VI or VII of the Code. The order shall permit the Department of Healthcare and Family Services, the Department of Human Services, or the local governmental unit, as the case may be, to direct that subsequent payments be made directly to the guardian or custodian of the minor, or to some other person or agency in the minor's behalf, upon removal of the minor from the public aid rolls; and upon such direction and removal of the minor from the public aid rolls, the Department of Healthcare and Family Services, Department of Human Services, or local governmental unit, as the case requires, shall give written notice of such action to the court. Payments received by the Department of Healthcare and Family Services, Department of Human Services, or local governmental unit are to be covered, respectively, into the General Revenue Fund of the State Treasury or General Assistance Fund of the governmental unit, as provided in Section 10-19 of the Illinois Public Aid Code.

(Source: P.A. 99-85, eff. 1-1-16.)

Section 25. The Juvenile Drug Court Treatment Act is amended by changing Section 25 as follows:

(705 ILCS 410/25)

Sec. 25. Procedure.

(a) The court shall order an eligibility screening and an assessment of the minor by an agent designated by the State of Illinois to provide assessment services for the Illinois Courts. An assessment need not be ordered if the court finds a valid assessment related to the present charge pending against the minor has been completed within the previous 60 days.

(b) The judge shall inform the minor that if the minor fails to meet the conditions of the drug court program, eligibility to participate in the program may be revoked and the minor may be sentenced or the prosecution continued as provided in the Juvenile Court Act of 1987 for the crime charged.

(c) The minor shall execute a written agreement as to his or her participation in the program and shall agree to all of the terms and conditions of the program, including but not limited to the possibility of sanctions or incarceration for failing to abide or comply with the terms of the program.

(d) In addition to any conditions authorized under Sections 5-505, 5-710, and 5-715 of the Juvenile Court Act of 1987, the court may order the minor to complete substance abuse treatment in an outpatient, inpatient, residential, or detention-based custodial treatment program. Any period of time a minor shall serve in a detention-based treatment program may not be reduced by the accumulation of good time or other credits and may be for a period of up to 120 days.

(e) The drug court program shall include a regimen of graduated requirements and rewards and sanctions, including, but not limited to: ~~fines, costs,~~ restitution, reasonable public service ~~employment~~, incarceration of up to 120 days, individual and group therapy, drug analysis testing, close monitoring by the court at a minimum of once every 30 days and supervision of progress, educational or vocational counseling as appropriate, and other requirements necessary to fulfill the drug court program. Reasonable public service shall not interfere with school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian.

(f) The court shall not order any fees, fines, or administrative costs under this Section against minors or their parents, guardians, or legal custodians.

(Source: P.A. 92-559, eff. 1-1-03.)

Section 30. The Criminal Code of 2012 is amended by changing Section 12C-60 as follows:

(720 ILCS 5/12C-60)

(Text of Section before amendment by P.A. 102-982)

Sec. 12C-60. Curfew.

(a) Curfew offenses.

(1) A minor commits a curfew offense when he or she remains in any public place or on the premises of any establishment during curfew hours.

(2) A parent or guardian of a minor or other person in custody or control of a minor commits a curfew offense when he or she knowingly permits the minor to remain in any public place or on the premises of any establishment during curfew hours.

(b) Curfew defenses. It is a defense to prosecution under subsection (a) that the minor was:

(1) accompanied by the minor's parent or guardian or other person in custody or control of the minor;

(2) on an errand at the direction of the minor's parent or guardian, without any detour or stop;

(3) in a motor vehicle involved in interstate travel;

(4) engaged in an employment activity or going to or returning home from an employment activity, without any detour or stop;

(5) involved in an emergency;

(6) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

(7) attending an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor;

(8) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(9) married or had been married or is an emancipated minor under the Emancipation of Minors Act.

(c) Enforcement. Before taking any enforcement action under this Section, a law enforcement officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (b) is present.

(d) Definitions. In this Section:

(1) "Curfew hours" means:

(A) Between 12:01 a.m. and 6:00 a.m. on Saturday;

(B) Between 12:01 a.m. and 6:00 a.m. on Sunday; and

(C) Between 11:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

(2) "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

(3) "Establishment" means any privately-owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

(4) "Guardian" means:

(A) a person who, under court order, is the guardian of the person of a minor; or

(B) a public or private agency with whom a minor has been placed by a court.

(5) "Minor" means any person under 17 years of age.

(6) "Parent" means a person who is:

(A) a natural parent, adoptive parent, or step-parent of another person; or

(B) at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

(7) "Public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

(8) "Remain" means to:

(A) linger or stay; or

(B) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

(9) "Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(e) Sentence. A violation of this Section is a petty offense with a fine of not less than $10 nor more than $500, except that neither a person who has been made a ward of the court under the Juvenile Court Act of 1987, nor that person's legal guardian, shall be subject to any fine. In addition to or instead of the fine imposed by this Section, the court may order a parent, legal guardian, or other person convicted of a violation of subsection (a) of this Section to perform community service as determined by the court, except that the legal guardian of a person subject to delinquency proceedings or who has been made a ward of the court under the Juvenile Court Act of 1987 may not be ordered to perform community service. The dates and times established for the performance of community service by the parent, legal guardian, or other person convicted of a violation of subsection (a) of this Section shall not conflict with the dates and times that the person is employed in his or her regular occupation. The court shall not order fees, fines, or administrative costs against a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(f) County, municipal and other local boards and bodies authorized to adopt local police laws and regulations under the constitution and laws of this State may exercise legislative or regulatory authority over this subject matter by ordinance or resolution incorporating the substance of this Section or increasing the requirements thereof or otherwise not in conflict with this Section.

(Source: P.A. 97-1109, eff. 1-1-13.)

(Text of Section after amendment by P.A. 102-982)

Sec. 12C-60. Curfew.

(a) Curfew offenses.

(1) A minor commits a curfew offense when he or she remains in any public place or on the premises of any establishment during curfew hours.

(2) A parent or guardian of a minor or other person in custody or control of a minor commits a curfew offense when he or she knowingly permits the minor to remain in any public place or on the premises of any establishment during curfew hours.

(b) Curfew defenses. It is a defense to prosecution under subsection (a) that the minor was:

(1) accompanied by the minor's parent or guardian or other person in custody or control of the minor;

(2) on an errand at the direction of the minor's parent or guardian, without any detour or stop;

(3) in a motor vehicle involved in interstate travel;

(4) engaged in an employment activity or going to or returning home from an employment activity, without any detour or stop;

(5) involved in an emergency;

(6) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;

(7) attending an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by a government or governmental agency, a civic organization, or another similar entity that takes responsibility for the minor;

(8) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(9) married or had been married or is an emancipated minor under the Emancipation of Minors Act.

(c) Enforcement. Before taking any enforcement action under this Section, a law enforcement officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this Section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (b) is present.

(d) Definitions. In this Section:

(1) "Curfew hours" means:

(A) Between 12:01 a.m. and 6:00 a.m. on Saturday;

(B) Between 12:01 a.m. and 6:00 a.m. on Sunday; and

(C) Between 11:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. on the following day.

(2) "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile crash, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

(3) "Establishment" means any privately-owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

(4) "Guardian" means:

(A) a person who, under court order, is the guardian of the person of a minor; or

(B) a public or private agency with whom a minor has been placed by a court.

(5) "Minor" means any person under 17 years of age.

(6) "Parent" means a person who is:

(A) a natural parent, adoptive parent, or step-parent of another person; or

(B) at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

(7) "Public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

(8) "Remain" means to:

(A) linger or stay; or

(B) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

(9) "Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(e) Sentence. A violation of this Section is a petty offense with a fine of not less than $10 nor more than $500, except that neither a person who has been made a ward of the court under the Juvenile Court Act of 1987, nor that person's legal guardian, shall be subject to any fine. In addition to or instead of the fine imposed by this Section, the court may order a parent, legal guardian, or other person convicted of a violation of subsection (a) of this Section to perform community service as determined by the court, except that the legal guardian of a person subject to delinquency proceedings or who has been made a ward of the court under the Juvenile Court Act of 1987 may not be ordered to perform community service. The dates and times established for the performance of community service by the parent, legal guardian, or other person convicted of a violation of subsection (a) of this Section shall not conflict with the dates and times that the person is employed in his or her regular occupation. The court shall not order fees, fines, or administrative costs against a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(f) County, municipal and other local boards and bodies authorized to adopt local police laws and regulations under the constitution and laws of this State may exercise legislative or regulatory authority over this subject matter by ordinance or resolution incorporating the substance of this Section or increasing the requirements thereof or otherwise not in conflict with this Section.

(Source: P.A. 102-982, eff. 7-1-23.)

Section 35. The Cannabis Control Act is amended by changing Sections 4 and 10 as follows:

(720 ILCS 550/4) (from Ch. 56 1/2, par. 704)

Sec. 4. Except as otherwise provided in the Cannabis Regulation and Tax Act and the Industrial Hemp Act, it is unlawful for any person knowingly to possess cannabis.

Any person who violates this Section with respect to:

(a) not more than 10 grams of any substance containing cannabis is guilty of a civil law violation punishable by a minimum fine of $100 and a maximum fine of $200. The proceeds of the fine shall be payable to the clerk of the circuit court. Within 30 days after the deposit of the fine, the clerk shall distribute the proceeds of the fine as follows:

(1) $10 of the fine to the circuit clerk and $10 of the fine to the law enforcement agency that issued the citation; the proceeds of each $10 fine distributed to the circuit clerk and each $10 fine distributed to the law enforcement agency that issued the citation for the violation shall be used to defer the cost of automatic expungements under paragraph (2.5) of subsection (a) of Section 5.2 of the Criminal Identification Act;

(2) $15 to the county to fund drug addiction services;

(3) $10 to the Office of the State's Attorneys Appellate Prosecutor for use in training programs;

(4) $10 to the State's Attorney; and

(5) any remainder of the fine to the law enforcement agency that issued the citation for the violation.

With respect to funds designated for the Illinois State Police, the moneys shall be remitted by the circuit court clerk to the Illinois State Police within one month after receipt for deposit into the State Police Operations Assistance Fund. With respect to funds designated for the Department of Natural Resources, the Department of Natural Resources shall deposit the moneys into the Conservation Police Operations Assistance Fund;

(b) more than 10 grams but not more than 30 grams of any substance containing cannabis is guilty of a Class B misdemeanor;

(c) more than 30 grams but not more than 100 grams of any substance containing cannabis is guilty of a Class A misdemeanor; provided, that if any offense under this subsection (c) is a subsequent offense, the offender shall be guilty of a Class 4 felony;

(d) more than 100 grams but not more than 500 grams of any substance containing cannabis is guilty of a Class 4 felony; provided that if any offense under this subsection (d) is a subsequent offense, the offender shall be guilty of a Class 3 felony;

(e) more than 500 grams but not more than 2,000 grams of any substance containing cannabis is guilty of a Class 3 felony;

(f) more than 2,000 grams but not more than 5,000 grams of any substance containing cannabis is guilty of a Class 2 felony;

(g) more than 5,000 grams of any substance containing cannabis is guilty of a Class 1 felony.

The court shall not order fines or any other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19; 102-538, eff. 8-20-21.)

(720 ILCS 550/10) (from Ch. 56 1/2, par. 710)

Sec. 10. (a) Whenever any person who has not previously been convicted of any felony offense under this Act or any law of the United States or of any State relating to cannabis, or controlled substances as defined in the Illinois Controlled Substances Act, pleads guilty to or is found guilty of violating Sections 4(a), 4(b), 4(c), 5(a), 5(b), 5(c) or 8 of this Act, the court may, without entering a judgment and with the consent of such person, sentence him to probation.

(b) When a person is placed on probation, the court shall enter an order specifying a period of probation of 24 months, and shall defer further proceedings in the case until the conclusion of the period or until the filing of a petition alleging violation of a term or condition of probation.

(c) The conditions of probation shall be that the person: (1) not violate any criminal statute of any jurisdiction; (2) refrain from possession of a firearm or other dangerous weapon; (3) submit to periodic drug testing at a time and in a manner as ordered by the court, but no less than 3 times during the period of the probation, with the cost of the testing to be paid by the probationer; and (4) perform no less than 30 hours of community service, provided community service is available in the jurisdiction and is funded and approved by the county board. The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services.

(d) The court may, in addition to other conditions, require that the person:

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of probation;

(2) pay a fine and costs;

(3) work or pursue a course of study or vocational training;

(4) undergo medical or psychiatric treatment; or treatment for drug addiction or alcoholism;

(5) attend or reside in a facility established for the instruction or residence of defendants on probation;

(6) support his dependents;

(7) refrain from possessing a firearm or other dangerous weapon;

(7-5) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(8) and in addition, if a minor:

(i) reside with his parents or in a foster home;

(ii) attend school;

(iii) attend a non-residential program for youth;

(iv) provide nonfinancial contributions ~~contribute~~ to his own support at home or in a foster home.

(e) Upon violation of a term or condition of probation, the court may enter a judgment on its original finding of guilt and proceed as otherwise provided.

(f) Upon fulfillment of the terms and conditions of probation, the court shall discharge such person and dismiss the proceedings against him.

(g) A disposition of probation is considered to be a conviction for the purposes of imposing the conditions of probation and for appeal, however, discharge and dismissal under this Section is not a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime (including the additional penalty imposed for subsequent offenses under Section 4(c), 4(d), 5(c) or 5(d) of this Act).

(h) A person may not have more than one discharge and dismissal under this Section within a 4-year period.

(i) If a person is convicted of an offense under this Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act within 5 years subsequent to a discharge and dismissal under this Section, the discharge and dismissal under this Section shall be admissible in the sentencing proceeding for that conviction as a factor in aggravation.

(j) Notwithstanding subsection (a), before a person is sentenced to probation under this Section, the court may refer the person to the drug court established in that judicial circuit pursuant to Section 15 of the Drug Court Treatment Act. The drug court team shall evaluate the person's likelihood of successfully completing a sentence of probation under this Section and shall report the results of its evaluation to the court. If the drug court team finds that the person suffers from a substance abuse problem that makes him or her substantially unlikely to successfully complete a sentence of probation under this Section, then the drug court shall set forth its findings in the form of a written order, and the person shall not be sentenced to probation under this Section, but shall be considered for the drug court program.

(k) The court shall not order fees, fines, costs or any other assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 99-480, eff. 9-9-15; 100-3, eff. 1-1-18; 100-575, eff. 1-8-18.)

Section 40. The Unified Code of Corrections is amended by changing Sections 5-4.5-105, 5-5-10, 5-6-3, 5-6-3.1, 5-7-6, 5-8A-6, 5-9-1.4, and 5-9-1.9 as follows:

(730 ILCS 5/5-4.5-105)

Sec. 5-4.5-105. SENTENCING OF INDIVIDUALS UNDER THE AGE OF 18 AT THE TIME OF THE COMMISSION OF AN OFFENSE.

(a) On or after the effective date of this amendatory Act of the 99th General Assembly, when a person commits an offense and the person is under 18 years of age at the time of the commission of the offense, the court, at the sentencing hearing conducted under Section 5-4-1, shall consider the following additional factors in mitigation in determining the appropriate sentence:

(1) the person's age, impetuosity, and level of maturity at the time of the offense, including the ability to consider risks and consequences of behavior, and the presence of cognitive or developmental disability, or both, if any;

(2) whether the person was subjected to outside pressure, including peer pressure, familial pressure, or negative influences;

(3) the person's family, home environment, educational and social background, including any history of parental neglect, physical abuse, or other childhood trauma;

(4) the person's potential for rehabilitation or evidence of rehabilitation, or both;

(5) the circumstances of the offense;

(6) the person's degree of participation and specific role in the offense, including the level of planning by the defendant before the offense;

(7) whether the person was able to meaningfully participate in his or her defense;

(8) the person's prior juvenile or criminal history; and

(9) any other information the court finds relevant and reliable, including an expression of remorse, if appropriate. However, if the person, on advice of counsel chooses not to make a statement, the court shall not consider a lack of an expression of remorse as an aggravating factor.

(b) Except as provided in subsections ~~subsection~~ (c) and (d), the court may sentence the defendant to any disposition authorized for the class of the offense of which he or she was found guilty as described in Article 4.5 of this Code, and may, in its discretion, decline to impose any otherwise applicable sentencing enhancement based upon firearm possession, possession with personal discharge, or possession with personal discharge that proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.

(c) Notwithstanding any other provision of law, if the defendant is convicted of first degree murder and would otherwise be subject to sentencing under clause (iii), (iv), (v), or (vii) of subparagraph (c) of paragraph (1) of subsection (a) of Section 5-8-1 of this Code based on the category of persons identified therein, the court shall impose a sentence of not less than 40 years of imprisonment. In addition, the court

may, in its discretion, decline to impose the sentencing enhancements based upon the possession or use of a firearm during the commission of the offense included in subsection (d) of Section 5-8-1.

(d) The court shall not order any fees, fines, or administrative costs against a minor subject to this Code or against the minor's parent, guardian, or legal custodian. For purposes of this amendatory Act of the 103rd General Assembly, "minor" has the meaning provided in Section 1-3 of the Juvenile Court Act of 1987 and includes any minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987.

(Source: P.A. 99-69, eff. 1-1-16; 99-258, eff. 1-1-16; 99-875, eff. 1-1-17.)

(730 ILCS 5/5-5-10)

Sec. 5-5-10. Community service fee. When an offender or defendant is ordered by the court to perform community service and the offender is not otherwise assessed a fee for probation services, the court shall impose a fee of $50 for each month the community service ordered by the court is supervised by a probation and court services department, unless after determining the inability of the person sentenced to community service to pay the fee, the court assesses a lesser fee. The court shall ~~may~~ not impose a fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under the Juvenile Court Act of 1987 ~~while the minor is in placement~~. The court shall not impose a fee on a minor subject to Article V of the Juvenile Court Act of 1987 or the minor's parent, guardian, or legal custodian. Except for minors under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, the ~~The~~ fee shall be imposed only on an offender who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.

A circuit court shall ~~may~~ not impose a probation fee on a minor subject to the Juvenile Court Act of 1987, or on a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian. In all other instances, a circuit court may not impose a probation fee in excess of $25 per month unless: (1) the circuit court has adopted, by administrative order issued by the chief judge, a standard probation fee guide determining an offender's ability to pay, under guidelines developed by the Administrative Office of the Illinois Courts; and (2) the circuit court has authorized, by administrative order issued by the chief judge, the creation of a Crime Victim's Services Fund, to be administered by the Chief Judge or his or her designee, for services to crime victims and their families. Of the amount collected as a probation fee, not to exceed $5 of that fee collected per month may be used to provide services to crime victims and their families.

(Source: P.A. 100-159, eff. 8-18-17.)

(730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

Sec. 5-6-3. Conditions of probation and of conditional discharge.

(a) The conditions of probation and of conditional discharge shall be that the person:

(1) not violate any criminal statute of any jurisdiction;

(2) report to or appear in person before such person or agency as directed by the court;

(3) refrain from possessing a firearm or other dangerous weapon where the offense is a felony or, if a misdemeanor, the offense involved the intentional or knowing infliction of bodily harm or threat of bodily harm;

(4) not leave the State without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of the person's probation officer. Transfer of a person's probation or conditional discharge supervision to another state is subject to acceptance by the other state pursuant to the Interstate Compact for Adult Offender Supervision;

(5) permit the probation officer to visit him at his home or elsewhere to the extent necessary to discharge his duties;

(6) perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, where the offense was related to or in furtherance of the criminal activities of an organized gang and was motivated by the offender's membership in or allegiance to an organized gang. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the

Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located within the municipality or county in which the violation occurred. When possible and reasonable, the community service should be performed in the offender's neighborhood. For purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act. The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services. Community service shall not interfere with the school hours, school-related activities, or work commitments of the minor or the minor's parent, guardian, or legal custodian;

(7) if he or she is at least 17 years of age and has been sentenced to probation or conditional discharge for a misdemeanor or felony in a county of 3,000,000 or more inhabitants and has not been previously convicted of a misdemeanor or felony, may be required by the sentencing court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing high school equivalency testing or to work toward completing a vocational training program approved by the court. The person on probation or conditional discharge must attend a public institution of education to obtain the educational or vocational training required by this paragraph (7). The court shall revoke the probation or conditional discharge of a person who willfully fails to comply with this paragraph (7). The person on probation or conditional discharge shall be required to pay for the cost of the educational courses or high school equivalency testing if a fee is charged for those courses or testing. The court shall resentence the offender whose probation or conditional discharge has been revoked as provided in Section 5-6-4. This paragraph (7) does not apply to a person who has a high school diploma or has successfully passed high school equivalency testing. This paragraph (7) does not apply to a person who is determined by the court to be a person with a developmental disability or otherwise mentally incapable of completing the educational or vocational program;

(8) if convicted of possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act after a previous conviction or disposition of supervision for possession of a substance prohibited by the Cannabis Control Act or Illinois Controlled Substances Act or after a sentence of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act and upon a finding by the court that the person is addicted, undergo treatment at a substance abuse program approved by the court;

(8.5) if convicted of a felony sex offense as defined in the Sex Offender Management Board Act, the person shall undergo and successfully complete sex offender treatment by a treatment provider approved by the Board and conducted in conformance with the standards developed under the Sex Offender Management Board Act;

(8.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders;

(8.7) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (8.7), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(8.8) if convicted for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after June 1, 2009 (the effective date of Public Act 95-983):

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the offender's probation officer, except in connection with the offender's employment or search for employment with the prior approval of the offender's probation officer;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the offender's probation officer;

(8.9) if convicted of a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262), refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012;

(9) if convicted of a felony or of any misdemeanor violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or 12-3.5 of the Criminal Code of 1961 or the Criminal Code of 2012 that was determined, pursuant to Section 112A-11.1 of the Code of Criminal Procedure of 1963, to trigger the prohibitions of 18 U.S.C. 922(g)(9), physically surrender at a time and place designated by the court, his or her Firearm Owner's Identification Card and any and all firearms in his or her possession. The Court shall return to the Illinois State Police Firearm Owner's Identification Card Office the person's Firearm Owner's Identification Card;

(10) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter;

(11) if convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses;

(12) if convicted of a violation of the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or a methamphetamine related offense:

(A) prohibited from purchasing, possessing, or having under his or her control any product containing pseudoephedrine unless prescribed by a physician; and

(B) prohibited from purchasing, possessing, or having under his or her control any product containing ammonium nitrate; and

(13) if convicted of a hate crime involving the protected class identified in subsection (a) of Section 12-7.1 of the Criminal Code of 2012 that gave rise to the offense the offender committed, perform public or community service of no less than 200 hours and enroll in an educational program discouraging hate crimes that includes racial, ethnic, and cultural sensitivity training ordered by the court.

(b) The Court may in addition to other reasonable conditions relating to the nature of the offense or the rehabilitation of the defendant as determined for each defendant in the proper discretion of the Court require that the person:

(1) serve a term of periodic imprisonment under Article 7 for a period not to exceed that specified in paragraph (d) of Section 5-7-1;

(2) pay a fine and costs;

(3) work or pursue a course of study or vocational training;

(4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;

(5) attend or reside in a facility established for the instruction or residence of defendants on probation;

(6) support his dependents;

(7) and in addition, if a minor:

(i) reside with his parents or in a foster home;

(ii) attend school;

(iii) attend a non-residential program for youth;

(iv) provide nonfinancial contributions ~~contribute~~ to his own support at home or in a foster home;

(v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is convicted of a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(8) make restitution as provided in Section 5-5-6 of this Code;

(9) perform some reasonable public or community service;

(10) serve a term of home confinement. In addition to any other applicable condition of probation or conditional discharge, the conditions of home confinement shall be that the offender:

(i) remain within the interior premises of the place designated for his confinement during the hours designated by the court;

(ii) admit any person or agent designated by the court into the offender's place of confinement at any time for purposes of verifying the offender's compliance with the conditions of his confinement; and

(iii) if further deemed necessary by the court or the Probation or Court Services Department, be placed on an approved electronic monitoring device, subject to Article 8A of Chapter V;

(iv) for persons convicted of any alcohol, cannabis or controlled substance violation who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the offender to pay the fee, the court assesses a lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the substance abuse services fund under Section 5-1086.1 of the Counties Code, except as provided in an administrative order of the Chief Judge of the circuit court.

The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device; and

(v) for persons convicted of offenses other than those referenced in clause (iv) above and who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the defendant to pay the fee, the court assesses a lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer who shall use the monies collected to defray the costs of corrections. The county treasurer shall deposit the fee collected in the probation and court services fund. The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a

vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device.

(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended, or an order of protection issued by the court of another state, tribe, or United States territory. A copy of the order of protection shall be transmitted to the probation officer or agency having responsibility for the case;

(12) reimburse any "local anti-crime program" as defined in Section 7 of the Anti-Crime Advisory Council Act for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced;

(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources for the purchase of evidence for investigation purposes and to conduct investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

(14) refrain from entering into a designated geographic area except upon such terms as the court finds appropriate. Such terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the defendant, and advance approval by a probation officer, if the defendant has been placed on probation or advance approval by the court, if the defendant was placed on conditional discharge;

(15) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(16) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(17) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (17), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(18) if convicted for an offense committed on or after June 1, 2009 (the effective date of Public Act 95-983) that would qualify as a sex offense as defined in the Sex Offender Registration Act:

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the offender's probation officer, except in connection with the offender's employment or search for employment with the prior approval of the offender's probation officer;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the subject's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the offender's probation officer; and

(19) refrain from possessing a firearm or other dangerous weapon where the offense is a misdemeanor that did not involve the intentional or knowing infliction of bodily harm or threat of bodily harm.

(c) The court may as a condition of probation or of conditional discharge require that a person under 18 years of age found guilty of any alcohol, cannabis or controlled substance violation, refrain from acquiring a driver's license during the period of probation or conditional discharge. If such person is in possession of a permit or license, the court may require that the minor refrain from driving or operating any motor vehicle during the period of probation or conditional discharge, except as may be necessary in the course of the minor's lawful employment.

(d) An offender sentenced to probation or to conditional discharge shall be given a certificate setting forth the conditions thereof.

(e) Except where the offender has committed a fourth or subsequent violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code, the court shall not require as a condition of the sentence of probation or conditional discharge that the offender be committed to a period of imprisonment in excess of 6 months. This 6-month limit shall not include periods of confinement given pursuant to a sentence of county impact incarceration under Section 5-8-1.2.

Persons committed to imprisonment as a condition of probation or conditional discharge shall not be committed to the Department of Corrections.

(f) The court may combine a sentence of periodic imprisonment under Article 7 or a sentence to a county impact incarceration program under Article 8 with a sentence of probation or conditional discharge.

(g) An offender sentenced to probation or to conditional discharge and who during the term of either undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay all costs incidental to such mandatory drug or alcohol testing, or both, and all costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, involved in a successful probation program for the county. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be. The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device.

(h) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred, or which has agreed to provide supervision, may impose probation fees upon receiving the transferred offender, as provided in subsection (i). For all transfer cases, as defined in Section 9b of the Probation and Probation Officers Act, the probation department from the original sentencing court shall retain all probation fees collected prior to the transfer. After the transfer, all probation fees shall be paid to the probation department within the circuit to which jurisdiction has been transferred.

(i) The court shall impose upon an offender sentenced to probation after January 1, 1989 or to conditional discharge after January 1, 1992 or to community service under the supervision of a probation or court services department after January 1, 2004, as a condition of such probation or conditional discharge or

supervised community service, a fee of $50 for each month of probation or conditional discharge supervision or supervised community service ordered by the court, unless after determining the inability of the person sentenced to probation or conditional discharge or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon an offender who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.

A circuit court may not impose a probation fee under this subsection (i) in excess of $25 per month unless the circuit court has adopted, by administrative order issued by the chief judge, a standard probation fee guide determining an offender's ability to pay. Of the amount collected as a probation fee, up to $5 of that fee collected per month may be used to provide services to crime victims and their families.

The Court may only waive probation fees based on an offender's ability to pay. The probation department may re-evaluate an offender's ability to pay every 6 months, and, with the approval of the Director of Court Services or the Chief Probation Officer, adjust the monthly fee amount. An offender may elect to pay probation fees due in a lump sum. Any offender that has been assigned to the supervision of a probation department, or has been transferred either under subsection (h) of this Section or under any interstate compact, shall be required to pay probation fees to the department supervising the offender, based on the offender's ability to pay.

Public Act 93-970 deletes the $10 increase in the fee under this subsection that was imposed by Public Act 93-616. This deletion is intended to control over any other Act of the 93rd General Assembly that retains or incorporates that fee increase.

(i-5) In addition to the fees imposed under subsection (i) of this Section, in the case of an offender convicted of a felony sex offense (as defined in the Sex Offender Management Board Act) or an offense that the court or probation department has determined to be sexually motivated (as defined in the Sex Offender Management Board Act), the court or the probation department shall assess additional fees to pay for all costs of treatment, assessment, evaluation for risk and treatment, and monitoring the offender, based on that offender's ability to pay those costs either as they occur or under a payment plan.

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under the Criminal and Traffic Assessment Act.

(k) Any offender who is sentenced to probation or conditional discharge for a felony sex offense as defined in the Sex Offender Management Board Act or any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(l) The court may order an offender who is sentenced to probation or conditional discharge for a violation of an order of protection be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(m) Except for restitution, the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21.)

(730 ILCS 5/5-6-3.1) (from Ch. 38, par. 1005-6-3.1)

Sec. 5-6-3.1. Incidents and conditions of supervision.

(a) When a defendant is placed on supervision, the court shall enter an order for supervision specifying the period of such supervision, and shall defer further proceedings in the case until the conclusion of the period.

(b) The period of supervision shall be reasonable under all of the circumstances of the case, but may not be longer than 2 years, unless the defendant has failed to pay the assessment required by Section 10.3 of the Cannabis Control Act, Section 411.2 of the Illinois Controlled Substances Act, or Section 80 of the

Methamphetamine Control and Community Protection Act, in which case the court may extend supervision beyond 2 years. Additionally, the court shall order the defendant to perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, when the offense (1) was related to or in furtherance of the criminal activities of an organized gang or was motivated by the defendant's membership in or allegiance to an organized gang; or (2) is a violation of any Section of Article 24 of the Criminal Code of 1961 or the Criminal Code of 2012 where a disposition of supervision is not prohibited by Section 5-6-1 of this Code. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damages to property located within the municipality or county in which the violation occurred. Where possible and reasonable, the community service should be performed in the offender's neighborhood.

For the purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(c) The court may in addition to other reasonable conditions relating to the nature of the offense or the rehabilitation of the defendant as determined for each defendant in the proper discretion of the court require that the person:

(1) make a report to and appear in person before or participate with the court or such courts, person, or social service agency as directed by the court in the order of supervision;

(2) pay a fine and costs;

(3) work or pursue a course of study or vocational training;

(4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;

(5) attend or reside in a facility established for the instruction or residence of defendants on probation;

(6) support his dependents;

(7) refrain from possessing a firearm or other dangerous weapon;

(8) and in addition, if a minor:

(i) reside with his parents or in a foster home;

(ii) attend school;

(iii) attend a non-residential program for youth;

(iv) provide nonfinancial contributions ~~contribute~~ to his own support at home or in a foster home; or

(v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is placed on supervision for a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(9) make restitution or reparation in an amount not to exceed actual loss or damage to property and pecuniary loss or make restitution under Section 5-5-6 to a domestic violence shelter. The court shall determine the amount and conditions of payment;

(10) perform some reasonable public or community service;

(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986 or an order of protection issued by the court of another state, tribe, or United States territory. If the court has ordered the defendant to make a report and appear in person under paragraph (1) of this subsection, a copy of the order of protection shall be transmitted to the person or agency so designated by the court;

(12) reimburse any "local anti-crime program" as defined in Section 7 of the Anti-Crime Advisory Council Act for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced;

(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources for the purchase of evidence for investigation purposes and to conduct

investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

(14) refrain from entering into a designated geographic area except upon such terms as the court finds appropriate. Such terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the defendant, and advance approval by a probation officer;

(15) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of person, including but not limited to members of street gangs and drug users or dealers;

(16) refrain from having in his or her body the presence of any illicit drug prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(17) refrain from operating any motor vehicle not equipped with an ignition interlock device as defined in Section 1-129.1 of the Illinois Vehicle Code; under this condition the court may allow a defendant who is not self-employed to operate a vehicle owned by the defendant's employer that is not equipped with an ignition interlock device in the course and scope of the defendant's employment; and

(18) if placed on supervision for a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter.

(c-5) If payment of restitution as ordered has not been made, the victim shall file a petition notifying the sentencing court, any other person to whom restitution is owed, and the State's Attorney of the status of the ordered restitution payments unpaid at least 90 days before the supervision expiration date. If payment as ordered has not been made, the court shall hold a review hearing prior to the expiration date, unless the hearing is voluntarily waived by the defendant with the knowledge that waiver may result in an extension of the supervision period or in a revocation of supervision. If the court does not extend supervision, it shall issue a judgment for the unpaid restitution and direct the clerk of the circuit court to file and enter the judgment in the judgment and lien docket, without fee, unless it finds that the victim has recovered a judgment against the defendant for the amount covered by the restitution order. If the court issues a judgment for the unpaid restitution, the court shall send to the defendant at his or her last known address written notification that a civil judgment has been issued for the unpaid restitution.

(d) The court shall defer entering any judgment on the charges until the conclusion of the supervision.

(e) At the conclusion of the period of supervision, if the court determines that the defendant has successfully complied with all of the conditions of supervision, the court shall discharge the defendant and enter a judgment dismissing the charges.

(f) Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. Two years after the discharge and dismissal under this Section, unless the disposition of supervision was for a violation of Sections 3-707, 3-708, 3-710, 5-401.3, or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, or for a violation of Sections 12-3.2, 16-25, or 16A-3 of the Criminal Code of 1961 or the Criminal Code of 2012, in which case it shall be 5 years after discharge and dismissal, a person may have his record of arrest sealed or expunged as may be provided by law. However, any defendant placed on supervision before January 1, 1980, may move for sealing or expungement of his arrest record, as provided by law, at any time after discharge and dismissal under this Section. A person placed on supervision for a sexual offense committed against a minor as defined in clause (a)(1)(L) of Section 5.2 of the Criminal Identification Act or for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not have his or her record of arrest sealed or expunged.

(g) A defendant placed on supervision and who during the period of supervision undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay the costs incidental to such mandatory drug or alcohol testing, or both, and costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to

the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, of all defendants placed on supervision. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be.

The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device.

(h) A disposition of supervision is a final order for the purposes of appeal.

(i) The court shall impose upon a defendant placed on supervision after January 1, 1992 or to community service under the supervision of a probation or court services department after January 1, 2004, as a condition of supervision or supervised community service, a fee of $50 for each month of supervision or supervised community service ordered by the court, unless after determining the inability of the person placed on supervision or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon a defendant who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund pursuant to Section 15.1 of the Probation and Probation Officers Act.

A circuit court may not impose a probation fee in excess of $25 per month unless the circuit court has adopted, by administrative order issued by the chief judge, a standard probation fee guide determining an offender's ability to pay. Of the amount collected as a probation fee, not to exceed $5 of that fee collected per month may be used to provide services to crime victims and their families.

The Court may only waive probation fees based on an offender's ability to pay. The probation department may re-evaluate an offender's ability to pay every 6 months, and, with the approval of the Director of Court Services or the Chief Probation Officer, adjust the monthly fee amount. An offender may elect to pay probation fees due in a lump sum. Any offender that has been assigned to the supervision of a probation department, or has been transferred either under subsection (h) of this Section or under any interstate compact, shall be required to pay probation fees to the department supervising the offender, based on the offender's ability to pay.

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under the Criminal and Traffic Assessment Act.

(k) A defendant at least 17 years of age who is placed on supervision for a misdemeanor in a county of 3,000,000 or more inhabitants and who has not been previously convicted of a misdemeanor or felony may as a condition of his or her supervision be required by the court to attend educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing high school equivalency testing or to work toward completing a vocational training program approved by the court. The defendant placed on supervision must attend a public institution of education to obtain the educational or vocational training required by this subsection (k). The defendant placed on supervision shall be required to pay for the cost of the educational courses or high school equivalency testing if a fee is charged for those courses or testing. The court shall revoke the supervision of a person who wilfully fails to comply with this subsection (k). The court shall resentence the defendant upon revocation of supervision as provided in Section 5-6-4. This subsection (k) does not apply to a defendant who has a high school diploma or has successfully passed high school equivalency testing. This subsection (k) does not apply to a defendant who is determined by the court to be a person with a developmental disability or otherwise mentally incapable of completing the educational or vocational program.

(l) The court shall require a defendant placed on supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act after a previous conviction or disposition of supervision for possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act or a sentence of probation under Section 10 of the Cannabis Control Act or Section 410 of the Illinois Controlled Substances Act and after a finding by the court that the person is addicted, to undergo treatment at a substance abuse program approved by the court.

(m) The Secretary of State shall require anyone placed on court supervision for a violation of Section 3-707 of the Illinois Vehicle Code or a similar provision of a local ordinance to give proof of his or her financial responsibility as defined in Section 7-315 of the Illinois Vehicle Code. The proof shall be maintained by the individual in a manner satisfactory to the Secretary of State for a minimum period of 3 years after the date the proof is first filed. The proof shall be limited to a single action per arrest and may not be affected by any post-sentence disposition. The Secretary of State shall suspend the driver's license of any person determined by the Secretary to be in violation of this subsection. This subsection does not apply to a person who, at the time of the offense, was operating a motor vehicle registered in a state other than Illinois.

(n) Any offender placed on supervision for any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(o) An offender placed on supervision for a sex offense as defined in the Sex Offender Management Board Act shall refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense. The provisions of this subsection (o) do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders.

(p) An offender placed on supervision for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012 shall refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age. For purposes of this subsection (p), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused.

(q) An offender placed on supervision for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012 shall, if so ordered by the court, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age. For purposes of this subsection (q), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused.

(r) An offender placed on supervision for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after June 1, 2009 (the effective date of Public Act 95-983) shall:

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the court, except in connection with the offender's employment or search for employment with the prior approval of the court;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the court.

(s) An offender placed on supervision for an offense that is a sex offense as defined in Section 2 of the Sex Offender Registration Act that is committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses.

(t) An offender placed on supervision for a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262) shall refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012.

(u) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred may impose probation fees upon receiving the transferred offender, as provided in subsection (i). The probation department from the original sentencing court shall retain all probation fees collected prior to the transfer.

(v) Except for restitution, the court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 102-299, eff. 8-6-21.)

(730 ILCS 5/5-7-6) (from Ch. 38, par. 1005-7-6)

Sec. 5-7-6. Duty of Clerk of Court or the Department of Corrections; collection and disposition of compensation.

(a) Every gainfully employed offender shall be responsible for managing his or her earnings. The clerk of the circuit court shall have only those responsibilities regarding an offender's earnings as are set forth in this Section.

Every offender, including offenders who are sentenced to periodic imprisonment for weekends only, gainfully employed shall pay a fee for room and board at a rate established, with the concurrence of the chief judge of the judicial circuit, by the county board of the county in which the offender is incarcerated. The concurrence of the chief judge shall be in the form of an administrative order. In establishing the fee for room and board consideration may be given to all costs incidental to the incarceration of offenders. If an offender is necessarily absent from the institution at mealtime he or she shall, without additional charge, be furnished with a meal to carry to work. Each week, on a day designated by the clerk of the circuit court, every offender shall pay the clerk the fees for the offender's room and board. Failure to pay the clerk on the day designated shall result in the termination of the offender's release. All fees for room and board collected by the circuit court clerk shall be disbursed into the county's General Corporate Fund.

By order of the court, all or a portion of the earnings of employed offenders shall be turned over to the clerk to be distributed for the following purposes, in the order stated:

(1) the room and board of the offender;

(2) necessary travel expenses to and from work and other incidental expenses of the offender, when those expenses are incurred by the administrator of the offender's imprisonment;

(3) support of the offender's dependents, if any.

(b) If the offender has one or more dependents who are recipients of financial assistance pursuant to the Illinois Public Aid Code, or who are residents of a State hospital, State school or foster care facility provided by the State, the court shall order the offender to turn over all or a portion of his earnings to the clerk who shall, after making the deductions provided for under paragraph (a), distribute those earnings to the appropriate agency as reimbursement for the cost of care of such dependents. The order shall permit the Department of Human Services (acting as successor to the Illinois Department of Public Aid under the Department of Human Services Act) or the local governmental unit, as the case may be, to request the clerk that subsequent payments be made directly to the dependents, or to some agency or person in their behalf, upon removal of the dependents from the public aid rolls; and upon such direction and removal of the recipients from the public aid rolls, the Department of Human Services or the local governmental unit, as the case requires, shall give written notice of such action to the court. Payments received by the Department of Human Services or by governmental units in behalf of recipients of public aid shall be deposited into the

General Revenue Fund of the State Treasury or General Assistance Fund of the governmental unit, under Section 10-19 of the Illinois Public Aid Code.

(c) The clerk of the circuit court shall keep individual accounts of all money collected by him as required by this Article. He shall deposit all moneys as trustee in a depository designated by the county board and shall make payments required by the court's order from such trustee account. Such accounts shall be subject to audit in the same manner as accounts of the county are audited.

(d) If an institution or the Department of Corrections certifies to the court that it can administer this Section with respect to persons committed to it under this Article, the clerk of the court shall be relieved of its duties under this Section and they shall be assumed by such institution or the Department.

(e) The court shall not order any fees, fines, costs, or other applicable assessments authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 90-14, eff. 7-1-97; 91-357, eff. 7-29-99.)

(730 ILCS 5/5-8A-6)

Sec. 5-8A-6. Electronic monitoring of certain sex offenders. For a sexual predator subject to electronic monitoring under paragraph (7.7) of subsection (a) of Section 3-3-7, the Department of Corrections must use a system that actively monitors and identifies the offender's current location and timely reports or records the offender's presence and that alerts the Department of the offender's presence within a prohibited area described in Section 11-9.3 of the Criminal Code of 2012, in a court order, or as a condition of the offender's parole, mandatory supervised release, or extended mandatory supervised release and the offender's departure from specified geographic limitations. To the extent that he or she is able to do so, which the Department of Corrections by rule shall determine, the offender must pay for the cost of the electronic monitoring. The court shall not order any costs authorized under this Section against a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(Source: P.A. 99-797, eff. 8-12-16; 100-431, eff. 8-25-17.)

(730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

Sec. 5-9-1.4. (a) "Crime laboratory" means any not-for-profit laboratory registered with the Drug Enforcement Administration of the United States Department of Justice, substantially funded by a unit or combination of units of local government or the State of Illinois, which regularly employs at least one person engaged in the analysis of controlled substances, cannabis, methamphetamine, or steroids for criminal justice agencies in criminal matters and provides testimony with respect to such examinations.

(b) (Blank).

(c) (Blank). ~~In addition to any other disposition made pursuant to the provisions of the Juvenile Court Act of 1987, any minor adjudicated delinquent for an offense which if committed by an adult would constitute a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Steroid Control Act shall be required to pay a criminal laboratory analysis assessment of $100 for each adjudication. Upon verified petition of the minor, the court may suspend payment of all or part of the assessment if it finds that the minor does not have the ability to pay the assessment. The parent, guardian, or legal custodian of the minor may pay some or all of such assessment on the minor's behalf.~~

(c-1) The court shall not order the payment of a criminal laboratory analysis assessment, or equivalent fine, fee, or administrative cost, by a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(d) Notwithstanding subsection (c-1) of this Section, all funds ~~All criminal laboratory analysis fees~~ provided for by this Section shall be collected by the clerk of the court and forwarded to the appropriate crime laboratory fund as provided in subsection (f).

(e) Crime laboratory funds shall be established as follows:

(1) Any unit of local government which maintains a crime laboratory may establish a crime laboratory fund within the office of the county or municipal treasurer.

(2) Any combination of units of local government which maintains a crime laboratory may establish a crime laboratory fund within the office of the treasurer of the county where the crime laboratory is situated.

(3) The State Crime Laboratory Fund is hereby created as a special fund in the State Treasury. Notwithstanding any other provision of law to the contrary, and in addition to any other transfers that may be provided by law, on August 20, 2021 (the effective date of Public Act 102-505), or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the State Offender DNA Identification System Fund into the State Crime Laboratory Fund. Upon completion of the transfer, the State Offender DNA Identification System Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of that Fund shall pass to the State Crime Laboratory Fund.

(f) Funds ~~The analysis assessment provided for in subsection (c) of this Section~~ shall be forwarded to the office of the treasurer of the unit of local government that performed the analysis if that unit of local government has established a crime laboratory fund, or to the State Crime Laboratory Fund if the analysis was performed by a laboratory operated by the Illinois State Police. If the analysis was performed by a crime laboratory funded by a combination of units of local government, the funds ~~analysis assessment~~ shall be forwarded to the treasurer of the county where the crime laboratory is situated if a crime laboratory fund has been established in that county. If the unit of local government or combination of units of local government has not established a crime laboratory fund, then the funds ~~analysis assessment~~ shall be forwarded to the State Crime Laboratory Fund.

(g) Moneys deposited into a crime laboratory fund created pursuant to paragraph (1) or (2) of subsection (e) of this Section shall be in addition to any allocations made pursuant to existing law and shall be designated for the exclusive use of the crime laboratory. These uses may include, but are not limited to, the following:

(1) costs incurred in providing analysis for controlled substances in connection with criminal investigations conducted within this State;

(2) purchase and maintenance of equipment for use in performing analyses; and

(3) continuing education, training, and professional development of forensic scientists regularly employed by these laboratories.

(h) Moneys deposited in the State Crime Laboratory Fund created pursuant to paragraph (3) of subsection (d) of this Section shall be used by State crime laboratories as designated by the Director of the Illinois State Police. These funds shall be in addition to any allocations made pursuant to existing law and shall be designated for the exclusive use of State crime laboratories or for the sexual assault evidence tracking system created under Section 50 of the Sexual Assault Evidence Submission Act. These uses may include those enumerated in subsection (g) of this Section.

(Source: P.A. 101-377, eff. 8-16-19; 102-505, eff. 8-20-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

(730 ILCS 5/5-9-1.9)

Sec. 5-9-1.9. DUI analysis ~~fee~~.

(a) "Crime laboratory" means a not-for-profit laboratory substantially funded by a single unit or combination of units of local government or the State of Illinois that regularly employs at least one person engaged in the DUI analysis of blood, other bodily substance, and urine for criminal justice agencies in criminal matters and provides testimony with respect to such examinations.

"DUI analysis" means an analysis of blood, other bodily substance, or urine for purposes of determining whether a violation of Section 11-501 of the Illinois Vehicle Code has occurred.

(b) (Blank).

(c) (Blank). ~~In addition to any other disposition made under the provisions of the Juvenile Court Act of 1987, any minor adjudicated delinquent for an offense which if committed by an adult would constitute a violation of Section 11-501 of the Illinois Vehicle Code shall pay a crime laboratory DUI analysis assessment of $150 for each adjudication. Upon verified petition of the minor, the court may suspend payment of all or part of the assessment if it finds that the minor does not have the ability to pay the assessment. The parent, guardian, or legal custodian of the minor may pay some or all of the assessment on the minor's behalf.~~

(c-1) The court shall not order the payment of a criminal laboratory DUI analysis assessment, or equivalent fine, fee, or administrative cost, by a minor subject to Article III, IV, or V of the Juvenile Court Act of 1987, or a minor under the age of 18 transferred to adult court or excluded from juvenile court jurisdiction under Article V of the Juvenile Court Act of 1987, or the minor's parent, guardian, or legal custodian.

(d) Notwithstanding subsection (c-1), all funds ~~All crime laboratory DUI analysis assessments~~ provided for by this Section shall be collected by the clerk of the court and forwarded to the appropriate crime laboratory DUI fund as provided in subsection (f).

(e) Crime laboratory funds shall be established as follows:

(1) A unit of local government that maintains a crime laboratory may establish a crime laboratory DUI fund within the office of the county or municipal treasurer.

(2) Any combination of units of local government that maintains a crime laboratory may establish a crime laboratory DUI fund within the office of the treasurer of the county where the crime laboratory is situated.

(3) (Blank).

(f) Notwithstanding subsection (c-1), all funds ~~The analysis assessment provided for in subsection (c) of this Section~~ shall be forwarded to the office of the treasurer of the unit of local government that performed the analysis if that unit of local government has established a crime laboratory DUI fund, or remitted to the State Treasurer for deposit into the State Crime Laboratory Fund if the analysis was performed by a laboratory operated by the Illinois State Police. If the analysis was performed by a crime laboratory funded by a combination of units of local government, the funds ~~analysis assessment~~ shall be forwarded to the treasurer of the county where the crime laboratory is situated if a crime laboratory DUI fund has been established in that county. If the unit of local government or combination of units of local government has not established a crime laboratory DUI fund, then the funds ~~analysis assessment~~ shall be remitted to the State Treasurer for deposit into the State Crime Laboratory Fund.

(g) Moneys deposited into a crime laboratory DUI fund created under paragraphs (1) and (2) of subsection (e) of this Section shall be in addition to any allocations made pursuant to existing law and shall be designated for the exclusive use of the crime laboratory. These uses may include, but are not limited to, the following:

(1) Costs incurred in providing analysis for DUI investigations conducted within this State.

(2) Purchase and maintenance of equipment for use in performing analyses.

(3) Continuing education, training, and professional development of forensic scientists regularly employed by these laboratories.

(h) Moneys deposited in the State Crime Laboratory Fund shall be used by State crime laboratories as designated by the Director of the Illinois State Police. These funds shall be in addition to any allocations made according to existing law and shall be designated for the exclusive use of State crime laboratories. These uses may include those enumerated in subsection (g) of this Section.

(i) Notwithstanding any other provision of law to the contrary and in addition to any other transfers that may be provided by law, on June 17, 2021 (the effective date of Public Act 102-16), or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the remaining balance from the State Police DUI Fund into the State Police Operations Assistance Fund. Upon completion of the transfer, the State Police DUI Fund is dissolved, and any future deposits due to that Fund and any outstanding obligations or liabilities of that Fund shall pass to the State Police Operations Assistance Fund.
(Source: P.A. 102-16, eff. 6-17-21; 102-145, eff. 7-23-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 45. The Code of Civil Procedure is amended by changing Section 2-202 as follows:

(735 ILCS 5/2-202) (from Ch. 110, par. 2-202)

Sec. 2-202. Persons authorized to serve process; place of service; failure to make return.

(a) Process shall be served by a sheriff, or if the sheriff is disqualified, by a coroner of some county of the State. In matters where the county or State is an interested party, process may be served by a special investigator appointed by the State's Attorney of the county, as defined in Section 3-9005 of the Counties Code. A sheriff of a county with a population of less than 2,000,000 may employ civilian personnel to serve process. In counties with a population of less than 2,000,000, process may be served, without special appointment, by a person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 or by a registered employee of a private detective agency certified under that Act as defined in Section (a-5). A private detective or licensed employee must supply the sheriff of any county in which he serves process with a copy of his license or certificate; however, the failure of a person to supply the copy shall not in any way impair the validity of process served by the person. The court may, in its discretion upon motion, order service to be made by a private person over 18 years of age and not a party to the action. It is not necessary that service be made by a sheriff or coroner of the county in which service is made. If served or sought to be served by a

sheriff or coroner, he or she shall endorse his or her return thereon, and if by a private person the return shall be by affidavit.

(a-5) Upon motion and in its discretion, the court may appoint as a special process server a private detective agency certified under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Under the appointment, any employee of the private detective agency who is registered under that Act may serve the process. The motion and the order of appointment must contain the number of the certificate issued to the private detective agency by the Department of Professional Regulation under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. A private detective or private detective agency shall send, one time only, a copy of his, her, or its individual private detective license or private detective agency certificate to the county sheriff in each county in which the detective or detective agency or his, her, or its employees serve process, regardless of the size of the population of the county. As long as the license or certificate is valid and meets the requirements of the Department of Financial and Professional Regulation, a new copy of the current license or certificate need not be sent to the sheriff. A private detective agency shall maintain a list of its registered employees. Registered employees shall consist of:

(1) an employee who works for the agency holding a valid Permanent Employee Registration Card;

(2) a person who has applied for a Permanent Employee Registration Card, has had his or her fingerprints processed and cleared by the Illinois State Police and the FBI, and as to whom the Department of Financial and Professional Regulation website shows that the person's application for a Permanent Employee Registration Card is pending;

(3) a person employed by a private detective agency who is exempt from a Permanent Employee Registration Card requirement because the person is a current peace officer; and

(4) a private detective who works for a private detective agency as an employee.

A detective agency shall maintain this list and forward it to any sheriff's department that requests this list within 5 business days after the receipt of the request.

(b) Summons may be served upon the defendants wherever they may be found in the State, by any person authorized to serve process. An officer may serve summons in his or her official capacity outside his or her county, but fees for mileage outside the county of the officer cannot be taxed as costs. The person serving the process in a foreign county may make return by mail.

(c) If any sheriff, coroner, or other person to whom any process is delivered, neglects or refuses to make return of the same, the plaintiff may petition the court to enter a rule requiring the sheriff, coroner, or other person, to make return of the process on a day to be fixed by the court, or to show cause on that day why that person should not be attached for contempt of the court. The plaintiff shall then cause a written notice of the rule to be served on the sheriff, coroner, or other person. If good and sufficient cause be not shown to excuse the officer or other person, the court shall adjudge him or her guilty of a contempt, and shall impose punishment as in other cases of contempt.

(d) Except as provided in Sections 1-19, 3-17, 4-14, and 5-252 of the Juvenile Court Act of 1987, if ~~If~~ process is served by a sheriff, coroner, or special investigator appointed by the State's Attorney, the court may tax the fee of the sheriff, coroner, or State's Attorney's special investigator as costs in the proceeding. If process is served by a private person or entity, the court may establish a fee therefor and tax such fee as costs in the proceedings.

(e) In addition to the powers stated in Section 8.1a of the Housing Authorities Act, in counties with a population of 3,000,000 or more inhabitants, members of a housing authority police force may serve process for eviction actions commenced by that housing authority and may execute eviction orders for that housing authority.

(f) In counties with a population of 3,000,000 or more, process may be served, with special appointment by the court, by a private process server or a law enforcement agency other than the county sheriff in proceedings instituted under Article IX of this Code as a result of a lessor or lessor's assignee declaring a lease void pursuant to Section 11 of the Controlled Substance and Cannabis Nuisance Act.
(Source: P.A. 102-538, eff. 8-20-21.)

Section 95. 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 99. Effective date. This Act takes effect upon becoming law.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Bennett, **Senate Bill No. 1468** having been printed, was taken up, read by title a second time.

Floor Amendment Nos. 1 and 2 were held in the Committee on Education.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Bennett, **Senate Bill No. 1488** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Education.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

**AMENDMENT NO. 2 TO SENATE BILL 1488**

AMENDMENT NO. 2 . Amend Senate Bill 1488 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 21B-30 and 21B-50 as follows:

(105 ILCS 5/21B-30)

Sec. 21B-30. Educator testing.

(a) (Blank).

(b) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall design and implement a system of examinations, which shall be required prior to the issuance of educator licenses. These examinations and indicators must be based on national and State professional teaching standards, as determined by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The State Board of Education may adopt such rules as may be necessary to implement and administer this Section.

(c) (Blank).

(c-5) The State Board must adopt rules to implement a paraprofessional competency test. This test would allow an applicant seeking an Educator License with Stipulations with a paraprofessional educator endorsement to obtain the endorsement if he or she passes the test and meets the other requirements of subparagraph (J) of paragraph (2) of Section 21B-20 other than the higher education requirements.

(d) All applicants seeking a State license shall be required to pass a test of content area knowledge for each area of endorsement for which there is an applicable test. There shall be no exception to this requirement. No candidate shall be allowed to student teach or serve as the teacher of record until he or she has passed the applicable content area test.

(e) (Blank).

(f) Beginning on the effective date of this amendatory Act of the 103rd General Assembly through August 31, 2025, no candidate completing a teacher preparation program in this State or candidate subject to Section 21B-35 of this Code is required to pass a teacher performance assessment. Except as otherwise provided in this Article, beginning on September 1, 2015 until the effective date of this amendatory Act of the 103rd General Assembly and beginning again on September 1, 2025, all candidates completing teacher preparation programs in this State and all candidates subject to Section 21B-35 of this Code are required to pass a teacher performance assessment approved by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. A candidate may not be required to submit test materials by video submission. Subject to appropriation, an individual who holds a Professional Educator License and is employed for a minimum of one school year by a school district designated as Tier 1 under Section 18-8.15 may, after application to the State Board, receive from the State Board a refund for any costs associated with completing the teacher performance assessment under this subsection.

(f-5) The Teacher Performance Assessment Task Force is created to evaluate potential teacher performance assessment systems for implementation in this State, with the intention of supporting a thoughtful and well-rounded licensure system that is performance-based and has consistency across programs and objectivity. The Task Force shall consist of all of the following members:

(1) One member of the Senate, appointed by the President of the Senate.

(2) One member of the Senate, appointed by the Minority Leader of the Senate.

(3) One member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(4) One member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

(5) One member who represents a statewide professional teachers' organization, appointed by the State Superintendent of Education.

(6) One member who represents a different statewide professional teachers' organization, appointed by the State Superintendent of Education.

(7) One member from a statewide organization representing school principals, appointed by the State Superintendent of Education.

(8) One member from a statewide organization representing regional superintendents of schools, appointed by the State Superintendent of Education.

(9) One member from a statewide organization representing school business officials, appointed by the State Superintendent of Education.

(10) One member representing a school district organized under Article 34 of this Code, appointed by the State Superintendent of Education.

(11) One member of an association representing rural and small schools, appointed by the State Superintendent of Education.

(12) One member representing a suburban school district, appointed by the State Superintendent of Education.

(13) One member from a statewide organization representing school districts in the southern suburbs of the City of Chicago, appointed by the State Superintendent of Education.

(14) One member from a statewide organization representing large unit school districts, appointed by the State Superintendent of Education.

(15) One member from a statewide organization representing school districts in the collar counties of the City of Chicago, appointed by the State Superintendent of Education.

(16) Three members, each representing a different public university in this State, appointed by the State Superintendent of Education.

(17) Three members, each representing a different 4-year nonpublic university or college in this State, appointed by the State Superintendent of Education.

(18) One member of the Board of Higher Education, appointed by the State Superintendent of Education.

(19) One member representing a statewide policy organization advocating on behalf of multilingual students and families, appointed by the State Superintendent of Education.

(20) One member representing a statewide organization focused on research-based education policy to support a school system that prepares all students for college, a career, and democratic citizenship, appointed by the State Superintendent of Education.

(21) Two members representing an early childhood advocacy organization, appointed by the State Superintendent of Education.

Members of the Task Force shall serve without compensation. The Task Force shall first meet at the call of the State Superintendent of Education, and each subsequent meeting shall be called by the chairperson of the Task Force, who shall be designated by the State Superintendent of Education. The State Board of Education shall provide administrative and other support to the Task Force.

On or before August 1, 2024, the Task Force shall report on its work, including recommendations on a teacher performance assessment system in this State, to the State Board of Education and the General Assembly. The Task Force is dissolved upon submission of this report.

(g) The content area knowledge test and the teacher performance assessment shall be the tests that from time to time are designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, and may be tests prepared by an educational testing organization or tests designed by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board. The test of content area knowledge shall assess content knowledge in a specific subject field. The tests must be designed to be racially neutral to ensure that no person taking the tests is discriminated against on the basis of race, color, national origin, or other factors unrelated to the person's ability to perform as a licensed employee. The score required to pass the tests shall be fixed by the State Board of Education, in

consultation with the State Educator Preparation and Licensure Board. The tests shall be administered not fewer than 3 times a year at such time and place as may be designated by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The State Board shall implement a test or tests to assess the speaking, reading, writing, and grammar skills of applicants for an endorsement or a license issued under subdivision (G) of paragraph (2) of Section 21B-20 of this Code in the English language and in the language of the transitional bilingual education program requested by the applicant.

(h) Except as provided in Section 34-6 of this Code, the provisions of this Section shall apply equally in any school district subject to Article 34 of this Code.

(i) The rules developed to implement and enforce the testing requirements under this Section shall include without limitation provisions governing test selection, test validation and determination of a passing score, administration of the tests, frequency of administration, applicant fees, frequency of applicants taking the tests, the years for which a score is valid, and appropriate special accommodations. The State Board of Education shall develop such rules as may be needed to ensure uniformity from year to year in the level of difficulty for each form of an assessment.

(Source: P.A. 101-81, eff. 7-12-19; 101-220, eff. 8-7-19; 101-594, eff. 12-5-19; 102-301, eff. 8-26-21.)

(105 ILCS 5/21B-50)

Sec. 21B-50. Alternative Educator Licensure Program.

(a) There is established an alternative educator licensure program, to be known as the Alternative Educator Licensure Program for Teachers.

(b) The Alternative Educator Licensure Program for Teachers may be offered by a recognized institution approved to offer educator preparation programs by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

The program shall be comprised of 4 phases:

(1) A course of study that at a minimum includes instructional planning; instructional strategies, including special education, reading, and English language learning; classroom management; and the assessment of students and use of data to drive instruction.

(2) A year of residency, which is a candidate's assignment to a full-time teaching position or as a co-teacher for one full school year. An individual must hold an Educator License with Stipulations with an alternative provisional educator endorsement in order to enter the residency and must complete additional program requirements that address required State and national standards, pass the State Board's teacher performance assessment, if required under Section 21B-30, no later than the end of the first semester of the second year of residency, as required under phase (3) of this subsection (b), and be recommended by the principal or qualified equivalent of a principal, as required under subsection (d) of this Section, and the program coordinator to continue with the second year of the residency.

(3) A second year of residency, which shall include the candidate's assignment to a full-time teaching position for one school year. The candidate must be assigned an experienced teacher to act as a mentor and coach the candidate through the second year of residency.

(4) A comprehensive assessment of the candidate's teaching effectiveness, as evaluated by the principal or qualified equivalent of a principal, as required under subsection (d) of this Section, and the program coordinator, at the end of the second year of residency. If there is disagreement between the 2 evaluators about the candidate's teaching effectiveness, the candidate may complete one additional year of residency teaching under a professional development plan developed by the principal or qualified equivalent and the preparation program. At the completion of the third year, a candidate must have positive evaluations and a recommendation for full licensure from both the principal or qualified equivalent and the program coordinator or no Professional Educator License shall be issued.

Successful completion of the program shall be deemed to satisfy any other practice or student teaching and content matter requirements established by law.

(c) An alternative provisional educator endorsement on an Educator License with Stipulations is valid for 2 years of teaching in the public schools, including without limitation a preschool educational program under Section 2-3.71 of this Code or charter school, or in a State-recognized nonpublic school in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and in which a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State, but may be renewed for a third year if needed to complete the Alternative

Educator Licensure Program for Teachers. The endorsement shall be issued only once to an individual who meets all of the following requirements:

(1) Has graduated from a regionally accredited college or university with a bachelor's degree or higher.

(2) (Blank).

(3) Has completed a major in the content area if seeking a middle or secondary level endorsement or, if seeking an early childhood, elementary, or special education endorsement, has completed a major in the content area of reading, English/language arts, mathematics, or one of the sciences. If the individual does not have a major in a content area for any level of teaching, he or she must submit transcripts to the State Board of Education to be reviewed for equivalency.

(4) Has successfully completed phase (1) of subsection (b) of this Section.

(5) Has passed a content area test required for the specific endorsement for admission into the program, as required under Section 21B-30 of this Code.

A candidate possessing the alternative provisional educator endorsement may receive a salary, benefits, and any other terms of employment offered to teachers in the school who are members of an exclusive bargaining representative, if any, but a school is not required to provide these benefits during the years of residency if the candidate is serving only as a co-teacher. If the candidate is serving as the teacher of record, the candidate must receive a salary, benefits, and any other terms of employment. Residency experiences must not be counted towards tenure.

(d) The recognized institution offering the Alternative Educator Licensure Program for Teachers must partner with a school district, including without limitation a preschool educational program under Section 2-3.71 of this Code or charter school, or a State-recognized, nonpublic school in this State in which the chief administrator is required to have the licensure necessary to be a principal in a public school in this State and in which a majority of the teachers are required to have the licensure necessary to be instructors in a public school in this State. A recognized institution that partners with a public school district administering a preschool educational program under Section 2-3.71 of this Code must require a principal to recommend or evaluate candidates in the program. A recognized institution that partners with an eligible entity administering a preschool educational program under Section 2-3.71 of this Code and that is not a public school district must require a principal or qualified equivalent of a principal to recommend or evaluate candidates in the program. The program presented for approval by the State Board of Education must demonstrate the supports that are to be provided to assist the provisional teacher during the 2-year residency period. These supports must provide additional contact hours with mentors during the first year of residency.

(e) Upon completion of the 4 phases outlined in subsection (b) of this Section and all assessments required under Section 21B-30 of this Code, an individual shall receive a Professional Educator License.

(f) The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to establish and implement the Alternative Educator Licensure Program for Teachers.

(Source: P.A. 100-596, eff. 7-1-18; 100-822, eff. 1-1-19; 101-220, eff. 8-7-19; 101-570, eff. 8-23-19; 101-643, eff. 6-18-20; 101-654, eff. 3-8-21.)

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

Floor Amendment No. 3 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator N. Harris, **Senate Bill No. 1495** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1495**

AMENDMENT NO. 1 . Amend Senate Bill 1495 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by changing Sections 1510, 1550, 1555, 1560, 1575, 1585, and 1590 and by adding Section 1586 as follows:

(215 ILCS 5/1510)

Sec. 1510. Definitions. In this Article:

"Adjusting a claim for loss or damage covered by an insurance contract" means negotiating values, damages, or depreciation or applying the loss circumstances to insurance policy provisions.

"Adjusting insurance claims" means representing an insured with an insurer for compensation and, while representing that insured, either negotiating values, damages, or depreciation or applying the loss circumstances to insurance policy provisions.

"Associated contractor" means any contractor or related service provider owned or operated by:

(1) the named public adjuster, spouse, or any family member; or

(2) any contractor recommended by the public adjuster if the fee stated in the public adjuster contract is waived when the recommended contractor is utilized by the insured.

"Business entity" means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

"Department" means the Department of Insurance.

"Director" means the Director of Insurance.

"Fingerprints" means an impression of the lines on the finger taken for the purpose of identification. The impression may be electronic or in ink converted to electronic format.

"Home state" means the District of Columbia and any state or territory of the United States where the public adjuster's principal place of residence or principal place of business is located. If neither the state in which the public adjuster maintains the principal place of residence nor the state in which the public adjuster maintains the principal place of business has a substantially similar law governing public adjusters, the public adjuster may declare another state in which it becomes licensed and acts as a public adjuster to be the home state.

"Individual" means a natural person.

"Person" means an individual or a business entity.

"Public adjuster" means any person who, for compensation or any other thing of value on behalf of the insured:

(i) acts, ~~or~~ aids, or represents the insured solely in relation to first party claims arising under insurance contracts that insure the real or personal property of the insured, ~~on behalf of an insured~~ in adjusting a claim for loss or damage covered by an insurance contract;

(ii) advertises for employment as a public adjuster of insurance claims or solicits business or represents himself or herself to the public as a public adjuster of first party insurance claims for losses or damages arising out of policies of insurance that insure real or personal property; or

(iii) directly or indirectly solicits business, investigates or adjusts losses, or advises an insured about first party claims for losses or damages arising out of policies of insurance that insure real or personal property for another person engaged in the business of adjusting losses or damages covered by an insurance policy for the insured.

"Scope of damages" means a document that describes the amount and type of damage to a structure and includes, at minimum, an itemized description of the materials to be used in the repair estimates of the quantity and costs of the materials.

"Uniform individual application" means the current version of the National Association of Directors (NAIC) Uniform Individual Application for resident and nonresident individuals.

"Uniform business entity application" means the current version of the National Association of Insurance Commissioners (NAIC) Uniform Business Entity Application for resident and nonresident business entities.

"Webinar" means an online educational presentation during which a live and participating instructor and participating viewers, whose attendance is periodically verified throughout the presentation, actively engage in discussion and in the submission and answering of questions.

(Source: P.A. 102-135, eff. 7-23-21.)

(215 ILCS 5/1550)

Sec. 1550. Applicant convictions.

(a) The Director and the Department shall not require applicants to report the following information and shall not collect or consider the following criminal history records in connection with a public adjuster license application:

(1) Juvenile adjudications of delinquent minors as defined in Section 5-105 of the Juvenile Court Act of 1987, subject to the restrictions set forth in Section 5-130 of that Act.

(2) Law enforcement records, court records, and conviction records of an individual who was 17 years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult.

(3) Records of arrest not followed by a formal charge or conviction.

(4) Records of arrest where charges were dismissed unless related to the duties and responsibilities of a public adjuster. However, applicants shall not be asked to report any arrests, and any arrest not followed by a conviction shall not be the basis of a denial and may be used only to assess an applicant's rehabilitation.

(5) Convictions overturned by a higher court.

(6) Convictions or arrests that have been sealed or expunged.

(b) The Director, upon a finding that an applicant for a license under this Act was previously convicted of any ~~a~~ felony or a misdemeanor involving dishonesty or fraud, shall consider any mitigating factors and evidence of rehabilitation contained in the applicant's record, including any of the following factors and evidence, to determine if a license may be denied because the prior conviction will impair the ability of the applicant to engage in the position for which a license is sought:

(1) the bearing, if any, of the offense for which the applicant was previously convicted on the duties, functions, and responsibilities of the position for which a license is sought;

(2) whether the conviction suggests a future propensity to endanger the safety and property of others while performing the duties and responsibilities for which a license is sought;

(3) if the applicant was previously licensed or employed in this State or other states or jurisdictions, then the lack of prior misconduct arising from or related to the licensed position or position of employment;

(4) whether 5 years since a felony conviction or 3 years since release from confinement for the conviction, whichever is later, have passed without a subsequent conviction;

(5) successful completion of sentence and, for applicants serving a term of parole or probation, a progress report provided by the applicant's probation or parole officer that documents the applicant's compliance with conditions of supervision;

(6) evidence of the applicant's present fitness and professional character;

(7) evidence of rehabilitation or rehabilitative effort during or after incarceration or during or after a term of supervision, including, but not limited to, a certificate of good conduct under Section 5-5.5-25 of the Unified Code of Corrections or certificate of relief from disabilities under Section 5-5.5-10 of the Unified Code of Corrections; and

(8) any other mitigating factors that contribute to the person's potential and current ability to perform the duties and responsibilities of a public adjuster.

(c) If a nonresident licensee meets the standards set forth in items (1) through (4) of subsection (a) of Section 1540 and has received consent pursuant to 18 U.S.C. 1033(e)(2) from his or her home state, the Director shall grant the nonresident licensee a license.

(d) If the Director refuses to issue a license to an applicant based on a conviction or convictions, in whole or in part, then the Director shall notify the applicant of the denial in writing with the following included in the notice of denial:

(1) a statement about the decision to refuse to issue a license;

(2) a list of convictions that the Director determined will impair the applicant's ability to engage in the position for which a license is sought;

(3) a list of the convictions that were the sole or partial basis for the refusal to issue a license; and

(4) a summary of the appeal process or the earliest the applicant may reapply for a license, whichever is applicable.

(Source: P.A. 100-286, eff. 1-1-18.)

(215 ILCS 5/1555)

Sec. 1555. License denial, nonrenewal, or revocation.

(a) The Director may place on probation, suspend, revoke, deny, or refuse to issue or renew a public adjuster's license or may levy a civil penalty or any combination of actions, for any one or more of the following causes:

(1) providing incorrect, misleading, incomplete, or materially untrue information in the license application;

(2) violating any insurance laws, or violating any regulation, subpoena, or order of the Director or of another state's Director;

(3) obtaining or attempting to obtain a license through misrepresentation or fraud;

(4) improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business;

(5) intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

(6) having been convicted of any ~~a~~ felony or a misdemeanor involving dishonesty or fraud, unless the individual demonstrates to the Director sufficient rehabilitation to warrant the public trust; consideration of such conviction of an applicant shall be in accordance with Section 1550;

(7) having admitted or been found to have committed any insurance unfair trade practice or insurance fraud;

(8) using fraudulent, coercive, or dishonest practices; or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this State or elsewhere;

(9) having an insurance license or public adjuster license or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory;

(10) forging another's name to an application for insurance or to any document related to an insurance transaction;

(11) cheating, including improperly using notes or any other reference material, to complete an examination for an insurance license or public adjuster license;

(12) knowingly accepting insurance business from or transacting business with an individual who is not licensed but who is required to be licensed by the Director;

(13) failing to comply with an administrative or court order imposing a child support obligation;

(14) failing to pay State income tax or comply with any administrative or court order directing payment of State income tax;

(15) failing to comply with or having violated any of the standards set forth in Section 1590 of this Law; ~~or~~

(16) failing to maintain the records required by Section 1585 of this Law; or ~~.~~

(17) failing to comply with Section 1586 of this Law.

(b) If the action by the Director is to nonrenew, suspend, or revoke a license or to deny an application for a license, the Director shall notify the applicant or licensee and advise, in writing, the applicant or licensee of the reason for the suspension, revocation, denial, or nonrenewal of the applicant's or licensee's license. The applicant or licensee may make written demand upon the Director within 30 days after the date of mailing for a hearing before the Director to determine the reasonableness of the Director's action. The hearing must be held within not fewer than 20 days nor more than 30 days after the mailing of the notice of hearing and shall be held pursuant to 50 Ill. Adm. Code 2402.

(c) The license of a business entity may be suspended, revoked, or refused if the Director finds, after hearing, that an individual licensee's violation was known or should have been known by one or more of the partners, officers, or managers acting on behalf of the business entity and the violation was neither reported to the Director, nor corrective action taken.

(d) In addition to or in lieu of any applicable denial, suspension or revocation of a license, a person may, after hearing, be subject to a civil penalty. In addition to or instead of any applicable denial, suspension, or revocation of a license, a person may, after hearing, be subject to a civil penalty of up to $10,000 for each cause for denial, suspension, or revocation, however, the civil penalty may total no more than $100,000.

(e) The Director shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by this Article against any person who is under investigation for or charged with a violation of this Article even if the person's license or registration has been surrendered or has lapsed by operation of law.

(f) Any individual whose public adjuster's license is revoked or whose application is denied pursuant to this Section shall be ineligible to apply for a public adjuster's license for 5 years. A suspension pursuant to this Section may be for any period of time up to 5 years.

(Source: P.A. 100-286, eff. 1-1-18.)

(215 ILCS 5/1560)

Sec. 1560. Bond or letter of credit.

(a) Prior to the issuance of a license as a public adjuster and for the duration of the license, the applicant shall secure evidence of financial responsibility in a format prescribed by the Director through a surety bond or irrevocable letter of credit, subject to all of the following requirements:

(1) A surety bond executed and issued by an insurer authorized to issue surety bonds in this State, which bond:

(A) shall be in the minimum amount of $50,000 ~~$20,000~~;

(B) shall be in favor of this State and shall specifically authorize recovery by the Director on behalf of any person in this State who sustained damages as the result of erroneous acts, failure to act, conviction of fraud, or conviction of unfair practices in his or her capacity as a public adjuster; and

(C) shall not be terminated unless at least 30 days' prior written notice will have been filed with the Director and given to the licensee; and

(2) An irrevocable letter of credit issued by a qualified financial institution, which letter of credit:

(A) shall be in the minimum amount of $50,000 ~~$20,000~~;

(B) shall be to an account to the Director and subject to lawful levy of execution on behalf of any person to whom the public adjuster has been found to be legally liable as the result of erroneous acts, failure to act, fraudulent acts, or unfair practices in his or her capacity as a public adjuster; and

(C) shall not be terminated unless at least 30 days' prior written notice will have been filed with the and given to the licensee.

(b) The issuer of the evidence of financial responsibility shall notify the Director upon termination of the bond or letter of credit, unless otherwise directed by the Director.

(c) The Director may ask for the evidence of financial responsibility at any time he or she deems relevant.

(d) The authority to act as a public adjuster shall automatically terminate if the evidence of financial responsibility terminates or becomes impaired.

(Source: P.A. 96-1332, eff. 1-1-11.)

(215 ILCS 5/1575)

Sec. 1575. Contract between public adjuster and insured.

(a) Public adjusters shall ensure that all contracts for their services are in writing and contain the following terms:

(1) legible full name of the adjuster signing the contract, as specified in Department records;

(2) permanent home state business address, email address, and phone number;

(3) license number;

(4) title of "Public Adjuster Contract";

(5) the insured's full name, street address, insurance company name, and policy number, if known or upon notification;

(6) a description of the loss and its location and a scope of damages~~, if applicable~~;

(7) description of services to be provided to the insured;

(8) signatures of the public adjuster and the insured;

(9) date and time the contract was signed by the public adjuster and date and time the contract was signed by the insured;

(10) attestation language stating that the public adjuster is fully bonded pursuant to State law; and

(11) full salary, fee, commission, compensation, or other considerations the public adjuster is to receive for services.

(b) The contract may specify that the public adjuster shall be named as a co-payee on an insurer's payment of a claim.

(1) If the compensation is based on a share of the insurance settlement, the exact percentage shall be specified.

(2) Initial expenses to be reimbursed to the public adjuster from the proceeds of the claim payment shall be specified by type, with dollar estimates set forth in the contract and with any additional expenses first approved by the insured.

(3) Compensation provisions in a public adjuster contract shall not be redacted in any copy of the contract provided to the Director.

(c) If the insurer, not later than 5 business days after the date on which the loss is reported to the insurer, either pays or commits in writing to pay to the insured the policy limit of the insurance policy, the public adjuster shall:

(1) not receive a commission consisting of a percentage of the total amount paid by an insurer to resolve a claim;

(2) inform the insured that loss recovery amount might not be increased by insurer; and

(3) be entitled only to reasonable compensation from the insured for services provided by the public adjuster on behalf of the insured, based on the time spent on a claim and expenses incurred by the public adjuster, until the claim is paid or the insured receives a written commitment to pay from the insurer.

(d) A public adjuster shall provide the insured a written disclosure concerning any direct or indirect financial interest that the public adjuster has with any other party or associated contractor who is involved in any aspect of the claim, other than the salary, fee, commission, or other consideration established in the written contract with the insured, including, but not limited to, any ownership of or any compensation expected to be received from, any construction firm, salvage firm, building appraisal firm, board-up company, or any other firm that provides estimates for work, or that performs any work, in conjunction with damages caused by the insured loss on which the public adjuster is engaged. The word "firm" shall include any corporation, partnership, association, joint-stock company, or person. The written disclosure must contain, at a minimum, the following:

(1) A statement clarifying the amount of ownership in the recommended contractor by the public adjuster and the name and relation of the family member that owns or operates the recommended contractor, if applicable.

(2) The specific amount of compensation the public adjuster will receive from the recommended contractor; this disclosure of compensation may be stated in an actual dollar amount or as a percentage of the payment.

(e) A public adjuster contract may not contain any contract term that:

(1) allows the public adjuster's percentage fee to be collected when money is due from an insurance company, but not paid, or that allows a public adjuster to collect the entire fee from the first check issued by an insurance company, rather than as a percentage of each check issued by an insurance company;

(2) requires the insured to authorize an insurance company to issue a check only in the name of the public adjuster;

(3) precludes a public adjuster or an insured from pursuing civil remedies;

(4) includes any hold harmless agreement that provides indemnification to the public adjuster by the insured for liability resulting from the public adjuster's negligence; or

(5) provides power of attorney by which the public adjuster can act in the place and instead of the insured.

(f) The following provisions apply to a contract between a public adjuster and an insured:

(1) Prior to the signing of the contract, the public adjuster shall provide the insured with a separate signed and dated disclosure document regarding the claim process that states:

"Property insurance policies obligate the insured to present a claim to his or her insurance company for consideration. There are 3 types of adjusters that could be involved in that process. The definitions of the 3 types are as follows:

(A) "Company adjuster" means the insurance adjusters who are employees of an insurance company. They represent the interest of the insurance company and are paid by the insurance company. They will not charge you a fee.

(B) "Independent adjuster" means the insurance adjusters who are hired on a contract basis by an insurance company to represent the insurance company's interest in the settlement of the claim. They are paid by your insurance company. They will not charge you a fee.

(C) "Public adjuster" means the insurance adjusters who do not work for any insurance company. They represent ~~work for~~ the insured to assist in the preparation, presentation and settlement of the claim. The insured hires them by signing a contract agreeing to pay them a fee or commission based on a percentage of the settlement, or other method of compensation.".

(2) The insured is not required to hire a public adjuster to help the insured meet his or her obligations under the policy, but has the right to do so.

(3) The public adjuster is not a representative or employee of the insurer or the Department of Insurance.

(4) The salary, fee, commission, or other consideration is the obligation of the insured, not the insurer, except when rights have been assigned to the public adjuster by the insured.

(g) The contracts shall be executed in duplicate to provide an original contract to the public adjuster, and an original contract to the insured. The public adjuster's original contract shall be available at all times for inspection without notice by the Director.

(h) The public adjuster shall provide the insurer or its authorized representative for receiving notice of loss or damage with an exact copy of the contract with ~~by~~ the insured by email within 2 business days after execution of the contract, authorizing the public adjuster to represent the insured's interest.

(i) The public adjuster shall give the insured written notice of the insured's rights as a consumer under the law of this State.

(j) A public adjuster shall not provide services, other than emergency services, until a written contract with the insured has been executed, on a form filed with and approved by the Director, and an exact copy of the contract has been provided to the insurer in accordance with subsection (h). At the option of the insured, any such contract shall be voidable for 5 business days after the copy has been received by the insurer ~~execution~~. The insured may void the contract by notifying the public adjuster in writing by (i) registered or certified mail, return receipt requested, to the address shown on the contract, ~~or~~ (ii) personally serving the notice on the public adjuster, or (iii) sending an email to the email address shown on the contract.

(k) If the insured exercises the right to rescind the contract, anything of value given by the insured under the contract will be returned to the insured within 15 business days following the receipt by the public adjuster of the cancellation notice.

(Source: P.A. 96-1332, eff. 1-1-11; 97-333, eff. 8-12-11.)

(215 ILCS 5/1585)

Sec. 1585. Record retention.

(a) A public adjuster shall maintain a complete record of each transaction as a public adjuster. The records required by this Section shall include the following:

(1) name of the insured;

(2) date, location and amount of the loss;

(3) a copy of the contract between the public adjuster and insured, a copy of the scope of work document, and a copy of the separate disclosure documents ~~document~~;

(4) name of the insurer, amount, expiration date and number of each policy carried with respect to the loss;

(5) itemized statement of the insured's recoveries;

(6) itemized statement of all compensation received by the public adjuster, from any source whatsoever, in connection with the loss;

(7) a register of all monies received, deposited, disbursed, or withdrawn in connection with a transaction with an insured, including fees transfers and disbursements from a trust account and all transactions concerning all interest bearing accounts;

(8) name of public adjuster who executed the contract;

(9) name of the attorney representing the insured, if applicable, and the name of the claims representatives of the insurance company; and

(10) evidence of financial responsibility in a format prescribed by the Director.

(b) Records shall be maintained for at least 7 years after the termination of the transaction with an insured and shall be open to examination by the Director at all times.

(c) Records submitted to the Director in accordance with this Section that contain information identified in writing as proprietary by the public adjuster shall be treated as confidential by the Director and shall not be subject to the Freedom of Information Act.

(Source: P.A. 96-1332, eff. 1-1-11.)

(215 ILCS 5/1586 new)

Sec. 1586. Associated contractors.

(a) A public adjuster license may be denied, suspended, or revoked under Section 1555 if the Director determines that, during either of the 2 calendar years following the issuance or extension date of the license, the aggregate amount of insureds' recoveries that were referred to associated contractors exceeded the aggregate amount of insureds' recoveries that were not referred to associated contractors of the licensee.

(b) A public adjuster who refers any insured to an associated contractor shall be responsible for tracking and maintaining current lists of all insureds' recoveries that were referred to associated contractors and all insureds' recoveries that were not referred to an associated contractor.

(215 ILCS 5/1590)

Sec. 1590. Standards of conduct of public adjuster.

(a) A public adjuster is obligated, under his or her license, to serve with objectivity and complete loyalty for the interests of his client alone, and to render to the insured such information, counsel, and service, as within the knowledge, understanding, and opinion in good faith of the licensee, as will best serve the insured's insurance claim needs and interest.

(b) A public adjuster may not propose or attempt to propose to any person that the public adjuster represent that person while a loss-producing occurrence is continuing, nor while the fire department or its representatives are engaged at the damaged premises, nor between the hours of 7:00 p.m. and 8:00 a.m.

(c) A public adjuster shall not permit an unlicensed employee or representative of the public adjuster to conduct business for which a license is required under this Article.

(d) A public adjuster shall not have a direct or indirect financial interest in any aspect of the claim, other than the salary, fee, commission, or other consideration established in the written contract with the insured, unless full written disclosure has been made to the insured as set forth in subsection (d) ~~(g)~~ of Section 1575.

(e) A public adjuster shall not acquire any interest in the salvage of property subject to the contract with the insured unless the public adjuster obtains written permission from the insured after settlement of the claim with the insurer as set forth in subsection (d) ~~(g)~~ of Section 1575 of this Article.

(f) The public adjuster shall abstain from referring or directing the insured to get needed repairs or services in connection with a loss from any person, unless disclosed to the insured:

(1) with whom the public adjuster has a financial interest or who is an associated contractor of the public adjuster; or

(2) from whom the public adjuster may receive direct or indirect compensation for the referral.

(g) The public adjuster shall disclose to an insured if he or she has any interest or will be compensated by any construction firm, salvage firm, building appraisal firm, board-up company, or any other firm that performs any work in conjunction with damages caused by the insured loss. The word "firm" shall include any corporation, partnership, association, joint-stock company or individual as set forth in Section 1575 of this Article.

(h) Any compensation or anything of value in connection with an insured's specific loss that will be received by a public adjuster shall be disclosed by the public adjuster to the insured in writing including the source and amount of any such compensation.

(i) In all cases where the loss giving rise to the claim for which the public adjuster was retained arise from damage to a personal residence, the insurance proceeds shall be delivered to the named insured or his or her designee. Where proceeds paid by an insurance company are paid jointly to the insured and the public adjuster, the insured shall release such portion of the proceeds that are due the public adjuster within 30 calendar days after the insured's receipt of the insurance company's check, money order, draft, or release of funds. If the proceeds are not so released to the public adjuster within 30 calendar days, the insured shall provide the public adjuster with a written explanation of the reason for the delay.

(j) Public adjusters shall adhere to the following general ethical requirements:

(1) a public adjuster shall not undertake the adjustment of any claim if the public adjuster is not competent and knowledgeable as to the terms and conditions of the insurance coverage, or which otherwise exceeds the public adjuster's current expertise;

(2) a public adjuster shall not knowingly make any oral or written material misrepresentations or statements which are false or maliciously critical and intended to injure any person engaged in the business of insurance to any insured client or potential insured client;

(3) no public adjuster, while so licensed by the Department, may represent or act as a company adjuster or independent adjuster on the same claim;

(4) the contract shall not be construed to prevent an insured from pursuing any civil remedy after the 5-business day revocation or cancellation period;

(5) a public adjuster shall not enter into a contract or accept a power of attorney that vests in the public adjuster the effective authority to choose the persons who shall perform repair work;

(6) a public adjuster shall ensure that all contracts for the public adjuster's services are in writing and set forth all terms and conditions of the engagement; and

(7) a public adjuster shall not advance money or any valuable consideration, except emergency services to an insured pending adjustment of a claim.

(k) A public adjuster may not agree to any loss settlement without the insured's knowledge and consent and shall, upon the insured's request, provide the insured with a document setting forth the scope, amount, and value of the damages prior to request by the insured for authority to settle the loss.

(l) A public adjuster shall not provide legal advice or representation to the insured or engage in the unauthorized practice of law.

(m) A public adjuster shall not represent that he or she is a representative of an insurance company, a fire department, or the State of Illinois, that he or she is a fire investigator, that his or her services are required for the insured to submit a claim to the insured's insurance company, or that he or she may provide legal advice or representation to the insured. A public adjuster may represent that he or she has been licensed by the State of Illinois.

(n) A public adjuster shall not act in the place and instead of the insured.

(Source: P.A. 96-1332, eff. 1-1-11.)

(815 ILCS 625/Act rep.)

Section 10. The Fire Damage Representation Agreement Act is repealed.".

Floor Amendment No. 2 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 1508** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Health and Human Services, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1508**

AMENDMENT NO. 1 . Amend Senate Bill 1508 on page 5, lines 3 and 4, by replacing "an online sports wagering licensee" with "a licensed online sports wagering operator".

Floor Amendment No. 2 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 1509** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Licensed Activities.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

**AMENDMENT NO. 2 TO SENATE BILL 1509**

AMENDMENT NO. 2 . Amend Senate Bill 1509 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Sections 4, 17, 18.1, and 26 and by adding Section 46.5 as follows:

(225 ILCS 25/4) (from Ch. 111, par. 2304)

(Section scheduled to be repealed on January 1, 2026)

Sec. 4. Definitions. As used in this Act:

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Department" means the Department of Financial and Professional Regulation.

"Secretary" means the Secretary of Financial and Professional Regulation.

"Board" means the Board of Dentistry.

"Dentist" means a person who has received a general license pursuant to paragraph (a) of Section 11 of this Act and who may perform any intraoral and extraoral procedure required in the practice of dentistry and to whom is reserved the responsibilities specified in Section 17.

"Dental hygienist" means a person who holds a license under this Act to perform dental services as authorized by Section 18.

"Dental assistant" means an appropriately trained person who, under the supervision of a dentist, provides dental services as authorized by Section 17.

"Expanded function dental assistant" means a dental assistant who has completed the training required by Section 17.1 of this Act.

"Dental laboratory" means a person, firm or corporation which:

(i) engages in making, providing, repairing or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues; and

(ii) utilizes or employs a dental technician to provide such services; and

(iii) performs such functions only for a dentist or dentists.

"Supervision" means supervision of a dental hygienist or a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental hygienist or dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

"General supervision" means supervision of a dental hygienist requiring that the patient be a patient of record, that the dentist examine the patient in accordance with Section 18 prior to treatment by the dental hygienist, and that the dentist authorize the procedures which are being carried out by a notation in the patient's record, but not requiring that a dentist be present when the authorized procedures are being performed. The issuance of a prescription to a dental laboratory by a dentist does not constitute general supervision.

"Public member" means a person who is not a health professional. For purposes of board membership, any person with a significant financial interest in a health service or profession is not a public member.

"Dentistry" means the healing art which is concerned with the examination, diagnosis, treatment planning and care of conditions within the human oral cavity and its adjacent tissues and structures, as further specified in Section 17.

"Branches of dentistry" means the various specialties of dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, oral and maxillofacial radiology, and dental anesthesiology.

"Specialist" means a dentist who has received a specialty license pursuant to Section 11(b).

"Dental technician" means a person who owns, operates, or is employed by a dental laboratory and engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues.

"Informed consent" means legally valid written consent given by a patient or legal guardian that authorizes intervention or treatment services from the treating dentist and that documents agreement to participate in those services and knowledge of the risks, benefits, and alternatives, including the decision to withdraw from or decline treatment.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

"Nurse" means a registered professional nurse, a certified registered nurse anesthetist licensed as an advanced practice registered nurse, or a licensed practical nurse licensed under the Nurse Practice Act.

"Patient of record" means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed a physical ~~an~~ examination within the last year and evaluated the condition to be treated, including a review of the patient's most recent x-rays.

"Dental responder" means a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of

Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support Foundation.

"Mobile dental van or portable dental unit" means any self-contained or portable dental unit in which dentistry is practiced that can be moved, towed, or transported from one location to another in order to establish a location where dental services can be provided.

"Public health dental hygienist" means a hygienist who holds a valid license to practice in the State, has 2 years of full-time clinical experience or an equivalent of 4,000 hours of clinical experience, and has completed at least 42 clock hours of additional structured courses in dental education in advanced areas specific to public health dentistry.

"Public health setting" means a federally qualified health center; a federal, State, or local public health facility; Head Start; a special supplemental nutrition program for Women, Infants, and Children (WIC) facility; a certified school-based health center or school-based oral health program; a prison; or a long-term care facility.

"Public health supervision" means the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients, without a dentist first examining the patient and being present in the facility during treatment, (1) who are eligible for Medicaid or (2) who are uninsured and whose household income is not greater than 200% of the federal poverty level.

"Teledentistry" means the use of telehealth systems and methodologies in dentistry and includes patient diagnosis, treatment planning, care, and education delivery for a patient of record using synchronous and asynchronous communications under an Illinois licensed ~~a~~ dentist's authority as provided under this Act.

"Clear aligner" means a medical device, excluding a retainer used to keep teeth in a fixed position, that is used in orthodontic treatment to gradually move a patient's teeth or jaw and correct misalignment and manufactured to address the patient's unique orthodontic needs.

(Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19; 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff. 1-1-23.)

(225 ILCS 25/17) (from Ch. 111, par. 2317)

(Section scheduled to be repealed on January 1, 2026)

Sec. 17. Acts constituting the practice of dentistry. A person practices dentistry, within the meaning of this Act:

(1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums, or jaw; or

(2) Who is a manager, proprietor, operator, or conductor of a business where dental operations are performed; or

(3) Who performs dental operations of any kind; or

(4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or

(5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or

(6) Who offers or undertakes, by any means or method, to diagnose, treat, or remove stains, calculus, and bonding materials from human teeth or jaws; or

(7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

(8) Who takes material or digital scans for final impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth, or associated tissues by means of a filling, crown, a bridge, a denture, or other appliance; or

(9) Who offers to furnish, supply, construct, reproduce, or repair, or who furnishes, supplies, constructs, reproduces, or repairs, prosthetic dentures, bridges, or other substitutes for natural teeth, to the user or prospective user thereof; or

(10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or

(11) Who takes material or digital scans for final impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials. A person does not practice

dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials; or.

(12) Who provides teledentistry. A dentist may provide and delegate dental services using telehealth only under the supervision requirements as specified in this Act for in-person care. A dentist may only practice or utilize teledentistry on a patient of record. A dentist practicing dentistry through teledentistry is subject to the same standard of care as if those services were being delivered in a clinic or office setting. A patient receiving dental services through teledentistry shall be provided with the name, direct telephone number, and physical practice address of the treating dentist who will be providing the teledentistry services. The information shall be provided to the patient prior to the provision of services. Prior to providing teledentistry services to a patient, a dentist must obtain informed consent from the patient as to the treatment proposed to be offered through teledentistry by the dentist. The Department may adopt rules to implement this paragraph.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

(i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

(ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist. In addition, after being authorized by a dentist, a dental assistant may, for the purpose of eliminating pain or discomfort, remove loose, broken, or irritating orthodontic appliances on a patient of record.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. Dental service, however, shall not include:

(1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, or restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations and placing, packing, and finishing composite restorations by dental assistants who have had additional formal education and certification.

A dental assistant may place, carve, and finish amalgam restorations, place, pack, and finish composite restorations, and place interim restorations if he or she (A) has successfully completed a structured training program as described in item (2) of subsection (g) provided by

an educational institution accredited by the Commission on Dental Accreditation, such as a dental school or dental hygiene or dental assistant program, or (B) has at least 4,000 hours of direct clinical patient care experience and has successfully completed a structured training program as described in item (2) of subsection (g) provided by a statewide dental association, approved by the Department to provide continuing education, that has developed and conducted training programs for expanded functions for dental assistants or hygienists. The training program must: (i) include a minimum of 16 hours of didactic study and 14 hours of clinical manikin instruction; all training programs shall include areas of study in nomenclature, caries classifications, oral anatomy, periodontium, basic occlusion, instrumentations, pulp protection liners and bases, dental materials, matrix and wedge techniques, amalgam placement and carving, rubber dam clamp placement, and rubber dam placement and removal; (ii) include an outcome assessment examination that demonstrates competency; (iii) require the supervising dentist to observe and approve the completion of 8 amalgam or composite restorations; and (iv) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing and dental sealant course prior to taking the amalgam and composite restoration course.

A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations or for placing, packing, and finishing composite restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for monitoring of nitrous oxide, conscious sedation, deep sedation, and general anesthetic as provided in Section 8.1 of this Act, that may be performed only after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of material or digital scans for final impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

In addition to coronal polishing and pit and fissure sealants as described in this item (7), a dental assistant who has at least 2,000 hours of direct clinical patient care experience and who has successfully completed a structured training program provided by (1) an educational institution including, but not limited to, a dental school or dental hygiene or dental assistant program, or (2) a continuing education provider approved by the Department, or (3) a statewide dental or dental hygienist association, approved by the Department on or before January 1, 2017 (the effective date of Public Act 99-680), that has developed and conducted a training program for expanded functions for dental assistants or hygienists may perform: (A) coronal scaling above the gum line, supragingivally, on the clinical crown of the tooth only on patients 17 years of age or younger who have an absence of periodontal disease and who are not medically compromised or individuals with special needs and (B) intracoronal temporization of a tooth. The training program must: (I) include a minimum of 32 hours of instruction in both didactic and clinical manikin or human subject instruction; all training programs shall include areas of study in dental anatomy, public health dentistry, medical history, dental emergencies, and managing the pediatric patient; (II) include an outcome assessment examination that demonstrates competency; (III) require the supervising dentist to observe and approve the completion of 6 full mouth supragingival scaling procedures unless the training was received as

part of a Commission on Dental Accreditation approved dental assistant program; and (IV) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing course prior to taking the coronal scaling course. A dental assistant performing these functions shall be limited to the use of hand instruments only. In addition, coronal scaling as described in this paragraph shall only be utilized on patients who are eligible for Medicaid, who are uninsured, or whose household income is not greater than 300% of the federal poverty level. A dentist may not supervise more than 2 dental assistants at any one time for the task of coronal scaling. This paragraph is inoperative on and after January 1, 2026.

The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this paragraph (g) mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist; or

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e) of Section 9 of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c) of Section 11 of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21; 102-936, eff. 1-1-23.)

(225 ILCS 25/18.1)

(Section scheduled to be repealed on January 1, 2026)

Sec. 18.1. Public health dental supervision responsibilities.

(a) When working together in a public health supervision relationship, dentists and public health dental hygienists shall enter into a public health supervision agreement. The dentist providing public health supervision must:

(1) be available to provide an appropriate level of contact, communication, collaboration, and consultation with the public health dental hygienist and must meet in-person with the public health dental hygienist at least quarterly for review and consultation;

(2) have specific standing orders or policy guidelines for procedures that are to be carried out for each location or program, although the dentist need not be present when the procedures are being performed;

(3) provide for the patient's additional necessary care in consultation with the public health dental hygienist;

(4) file agreements and notifications as required; and

(5) include procedures for creating and maintaining dental records, including protocols for transmission of all records between the public health dental hygienist and the dentist following each

treatment, which shall include a notation regarding procedures authorized by the dentist and performed by the public health dental hygienist and the location where those records are to be kept.

Each dentist and hygienist who enters into a public health supervision agreement must document and maintain a copy of any change or termination of that agreement.

Dental records shall be owned and maintained by the supervising dentist for all patients treated under public health supervision, unless the supervising dentist is an employee of a public health clinic or federally qualified health center, in which case the public health clinic or federally qualified health center shall maintain the records.

If a dentist ceases to be employed or contracted by the facility, the dentist shall notify the facility administrator that the public health supervision agreement is no longer in effect. A new public health supervision agreement is required for the public health dental hygienist to continue treating patients under public health supervision.

A dentist entering into an agreement under this Section may supervise and enter into agreements for public health supervision with 2 public health dental hygienists. This shall be in addition to the limit of 4 dental hygienists per dentist set forth in subsection (g) of Section 18 of this Act.

(b) A public health dental hygienist providing services under public health supervision may perform only those duties within the accepted scope of practice of dental hygiene, as follows:

(1) the operative procedures of dental hygiene, consisting of oral prophylactic procedures, including prophylactic cleanings, application of fluoride, and placement of sealants;

(2) the exposure and processing of x-ray films of the teeth and surrounding structures; and

(3) such other procedures and acts as shall be prescribed by rule of the Department.

Any patient treated under this subsection (b) must be examined by a dentist before additional services can be provided by a public health dental hygienist. However, if the supervising dentist, after consultation with the public health hygienist, determines that time is needed to complete an approved treatment plan on a patient eligible under this Section, then the dentist may instruct the hygienist to complete the remaining services prior to an oral examination by the dentist. Such instruction by the dentist to the hygienist shall be noted in the patient's records. Any services performed under this exception must be scheduled in a timely manner and shall not occur more than 30 days after the first appointment date.

(c) A public health dental hygienist providing services under public health supervision must:

(1) provide to the patient, parent, or guardian a written plan for referral or an agreement for follow-up that records all conditions observed that should be called to the attention of a dentist for proper diagnosis;

(2) have each patient sign a permission slip or consent form that informs them that the service to be received does not take the place of regular dental checkups at a dental office and is meant for people who otherwise would not have access to the service;

(3) inform each patient who may require further dental services of that need;

(4) maintain an appropriate level of contact and communication with the dentist providing public health supervision; and

(5) complete an additional 4 hours of continuing education in areas specific to public health dentistry yearly.

(d) Each public health dental hygienist who has rendered services under subsections (c), (d), and (e) of this Section must complete a summary report at the completion of a program or, in the case of an ongoing program, at least annually. The report must be completed in the manner specified by the Division of Oral Health in the Department of Public Health including information about each location where the public health dental hygienist has rendered these services. The public health dental hygienist must submit the form to the dentist providing supervision for his or her signature before sending it to the Division.

(e) Public health dental hygienists providing services under public health supervision may be compensated for their work by salary, honoraria, and other mechanisms by the employing or sponsoring entity. Nothing in this Act shall preclude the entity that employs or sponsors a public health dental hygienist from seeking payment, reimbursement, or other source of funding for the services provided.

(f) A patient who is provided services by a public health dental hygienist who has a public health supervision agreement as provided under this Section is not a patient of record.

(f) This Section is repealed on January 1, 2026.

(Source: P.A. 101-162, eff. 7-26-19.)

(225 ILCS 25/26) (from Ch. 111, par. 2326)

(Section scheduled to be repealed on January 1, 2026)

Sec. 26. Disciplinary actions.

(a) In case the respondent, after receiving notice, fails to file an answer, his or her license may, in the discretion of the Secretary, having first received the recommendation of the Board, be suspended, revoked, placed on probationary status, or the Secretary may take whatever disciplinary or non-disciplinary action he or she may deem proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(b) The Secretary may temporarily suspend the license of a dentist or dental hygienist without a hearing, simultaneous to the institution of proceedings for a hearing under this Act, if the Secretary finds that evidence in his or her possession indicates that a dentist's or dental hygienist's continuation in practice would constitute an immediate danger to the public. In the event that the Secretary temporarily suspends the license of a dentist or a dental hygienist without a hearing, a hearing by the Board must be held within 15 days after such suspension has occurred.

(c) The entry of a judgment by any circuit court establishing that any person holding a license under this Act is a person subject to involuntary admission under the Mental Health and Developmental Disabilities Code shall operate as a suspension of that license. That person may resume his or her practice only upon a finding by the Board that he or she has been determined to be no longer subject to involuntary admission by the court and upon the Board's recommendation to the Secretary that he or she be permitted to resume his or her practice.

(d) It shall be a violation of this Act for a provider of dental services rendering care through teledentistry to require a patient to sign an agreement that limits in any way the patient's ability to write a review of services received or file a complaint with the Department or other regulatory agency.

(Source: P.A. 99-492, eff. 12-31-15.)

(225 ILCS 25/46.5 new)

Sec. 46.5. Prohibition on sale of clear aligners to the public.

(a) A person may not sell a clear aligner to a patient unless the person has received written or electronic confirmation from a dentist licensed in this State that the patient has received an intraoral or extraoral dental examination and has had a review of new or recently conducted x-rays, panoramic x-rays, computed tomography, bone imaging scans, or other appropriate diagnostic imaging sufficient to allow the dentist to detect conditions in the patient that would preclude or contraindicate the provision of safe orthodontic treatment.

(b) A person who sells a clear aligner to a patient shall maintain any documents received under subsection (a) for not less than 7 years after the date of sale.".

Senator Cunningham offered the following amendment and moved its adoption:

**AMENDMENT NO. 3 TO SENATE BILL 1509**

AMENDMENT NO. 3 . Amend Senate Bill 1509, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, on page 23, by replacing lines 9 through 11 with the following:

"(e-5) A patient who is provided teledentistry services by a public health dental hygienist who has a public health supervision agreement as described in this Section does not need to receive a physical examination from a dentist prior to treatment.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 1544** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1544**

AMENDMENT NO. 1 . Amend Senate Bill 1544 by replacing everything after the enacting clause with the following:

"Section 5. The Homeowners' Energy Policy Statement Act is amended by changing Sections 20, 25, 30, and 40 as follows:

(765 ILCS 165/20)

Sec. 20. Deed restrictions; covenants.

(a) No deed restrictions, covenants, or similar binding agreements running with the land shall prohibit or have the effect of prohibiting a solar energy system from being installed on a building erected on a lot or parcel covered by the deed restrictions, covenants, or binding agreements, if the building is subject to a homeowners' association, common interest community association, or condominium unit owners' association. A property owner may not be denied permission to install a solar energy system, or be required to utilize specific technology, including, but not limited to, solar shingles rather than traditional solar panels, by any entity granted the power or right in any deed restriction, covenant, or similar binding agreement to approve, forbid, control, or direct alteration of property. However, for purposes of this Act, the entity may determine the specific configuration of the elements of a solar energy system on a given roof face, provided that it may not prohibit elements of the system from being installed on any roof face and that any such determination may not reduce the production of the solar energy system by more than 10%. For the purposes of this Section, "production" means the estimated annual electrical production of the solar energy system.

(b) Within 90 days after a homeowners' association, common interest community association, or condominium unit owners' association receives a request for a policy statement or an application from an association member, the association shall adopt a written ~~an~~ energy policy statement. Any energy policy statement, regardless of when adopted, shall explicitly include as the minimum standards the terms of this Section but may also include standards regarding: (i) the location, design, and architectural requirements of solar energy systems; and (ii) whether a wind energy collection, rain water collection, or composting system is allowed, and, if so, the location, design, and architectural requirements of those systems. A written energy policy statement may not condition approval of an application on approval by adjacent property owners. An association may not inquire into a property owner's energy usage, impose conditions impairing the operation of a solar energy system, impose conditions negatively impacting any component industry standard warranty, or require post-installation reporting. Nor may a property owner be denied permission to install a solar energy system based on system ownership or financing method chosen by the property owner. Notwithstanding the foregoing, an association's written energy policy statement may impose reasonable conditions concerning the maintenance, repair, replacement, and ultimate removal of damaged or inoperable systems so long as such conditions are not more onerous than the association's analogous conditions for nonsolar projects. An association shall disclose, upon request, its written energy policy statement and shall include the statement in its homeowners' common interest community, or condominium unit owners' association declaration.

(c) Any provision of a homeowners' common interest community or condominium unit owners' declaration or energy policy statement that conflicts with this Act shall be void and unenforceable as contrary to public policy.

(Source: P.A. 102-161, eff. 7-26-21.)

(765 ILCS 165/25)

Sec. 25. Standards and requirements. A solar energy system shall meet applicable standards and requirements imposed by State and local permitting authorities other than a homeowners' association, common interest community association, or condominium unit owners' association.

(Source: P.A. 96-1436, eff. 1-1-11.)

(765 ILCS 165/30)

Sec. 30. Application for approval.

(a) Whenever approval is required for the installation or use of a solar energy system, the application for approval shall be made available in hard copy form at a property owner's request or, if the association maintains a website, through the website. An association need not utilize an application form specific to solar installations. An association may not impose any fee for submitting an application pertaining to a solar energy system above that which it assesses for any other application related to changes to property. The application shall be processed by the appropriate approving entity of the association within 30 ~~75~~ days of the submission of the application. At the request of the property owner, an association may communicate with the property owner's solar energy system contractor.

(b) If ~~However, if~~ an application is submitted before a written ~~an~~ energy policy statement is adopted by an association, the application shall be processed within 120 days from the date the property owner submitted the application ~~75-day period shall not begin to run until the date that the policy is adopted~~.

(c) If an association fails to adopt a written solar energy policy statement consistent with this Act or process an application for approval within the specified time, the property owner may proceed with the installation or use of the proposed solar energy system notwithstanding any other policy or provision in the homeowners' common interest community or condominium unit owners' association declaration. In such situations, an association may not impose fines or otherwise penalize a property owner for exercising its rights under this Act.

(d) A property owner may resubmit an application for approval previously denied by an association; any such resubmitted application shall be evaluated under the changes made by this amendatory Act of the 103rd General Assembly.

(Source: P.A. 102-161, eff. 7-26-21.)

(765 ILCS 165/40)

Sec. 40. Costs; attorney's fees. In any litigation arising under this Act or involving the application of this Act, the prevailing party shall be entitled to costs and reasonable attorney's fees.

(Source: P.A. 96-1436, eff. 1-1-11.)

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 1563** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Environment and Conservation, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1563**

AMENDMENT NO. 1 . Amend Senate Bill 1563 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 13.10 as follows:

(415 ILCS 5/13.10 new)

Sec. 13.10. Microplastics.

(a) On or before July 1, 2025, the Agency shall propose and the Board shall adopt rules defining what microplastics are for purposes of regulating their presence in drinking water.

(b) On or before July 1, 2025, the Agency shall develop and submit a plan to the General Assembly and the Governor that determines a standard methodology to be used in the testing of drinking water for microplastics based on the most up-to-date guidance and information from the United States Environmental Protection Agency.".

Senator Morrison offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 1563**

AMENDMENT NO. 2 . Amend Senate Bill 1563, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 13.10 as follows:

(415 ILCS 5/13.10 new)

Sec. 13.10. Microplastics. By March 1, 2024, the Agency shall make publicly available on its website the following information:

(1) a description of microplastics and their effects on aquatic life and human health, including relevant background information and sources of microplastics;

(2) any federal and State regulatory actions taken to address microplastics and their effects on aquatic life and human health;

(3) contact information for an employee of the Agency who is available to provide information on microplastics if a member of the public has questions or concerns; and

(4) additional resources, including, but not limited to, links to webpages containing information on microplastics on the United States Environmental Protection Agency's website, the National Oceanic and Atmospheric Administration's website, the National Institutes of Health's website, the websites of other State agencies and universities, and other scientifically reputable websites that may contain additional relevant information on microplastics.

The Agency shall update the website as additional information or data regarding microplastics in the State becomes available.

By October 1, 2024, the Agency shall submit a report to the General Assembly and the Governor that provides an overview of any Agency actions relating to microplastics, a comparative analysis of actions in other states regarding microplastics in the environment, and information on the latest guidance from the United States Environmental Protection Agency.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Peters, **Senate Bill No. 1669** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 1685** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 1701** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Agriculture.

The following amendments were offered in the Committee on Agriculture, adopted and ordered printed:

**AMENDMENT NO. 2 TO SENATE BILL 1701**

AMENDMENT NO. 2 . Amend Senate Bill 1701 by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by changing Section 6z-32 as follows:

(30 ILCS 105/6z-32)

Sec. 6z-32. Partners for Planning and Conservation.

(a) The Partners for Conservation Fund (formerly known as the Conservation 2000 Fund) and the Partners for Conservation Projects Fund (formerly known as the Conservation 2000 Projects Fund) are created as special funds in the State Treasury. These funds shall be used to establish a comprehensive program to protect Illinois' natural resources through cooperative partnerships between State government and public and private landowners. Moneys in these Funds may be used, subject to appropriation, by the Department of Natural Resources, Environmental Protection Agency, and the Department of Agriculture for purposes relating to natural resource protection, planning, recreation, tourism, climate resilience, and compatible agricultural and economic development activities. Without limiting these general purposes, moneys in these Funds may be used, subject to appropriation, for the following specific purposes:

(1) To foster sustainable agriculture practices and control soil erosion, sedimentation, and nutrient loss from farmland, including grants to Soil and Water Conservation Districts for conservation practice cost-share grants and for personnel, educational, and administrative expenses.

(2) To establish and protect a system of ecosystems in public and private ownership through conservation easements, incentives to public and private landowners, natural resource restoration and preservation, water quality protection and improvement, land use and watershed planning, technical

assistance and grants, and land acquisition provided these mechanisms are all voluntary on the part of the landowner and do not involve the use of eminent domain.

(3) To develop a systematic and long-term program to effectively measure and monitor natural resources and ecological conditions through investments in technology and involvement of scientific experts.

(4) To initiate strategies to enhance, use, and maintain Illinois' inland lakes through education, technical assistance, research, and financial incentives.

(5) To partner with private landowners and with units of State, federal, and local government and with not-for-profit organizations in order to integrate State and federal programs with Illinois' natural resource protection and restoration efforts and to meet requirements to obtain federal and other funds for conservation or protection of natural resources.

(6) To support ~~implement~~ the State's Nutrient Loss Reduction Strategy, including, but not limited to, funding the resources needed to support the Strategy's Policy Working Group, cover water quality monitoring in support of Strategy implementation, prepare a biennial report on the progress made on the Strategy every 2 years, and provide cost share funding for nutrient capture projects.

(7) To provide capacity grants to support soil and water conservation districts, including, but not limited to, developing soil health plans, conducting soil health assessments, peer-to-peer training, convening producer-led dialogues, professional memberships, professional development, and travel stipends for meetings and educational events.

(8) To develop guidelines and local soil health assessments for advancing soil health.

(9) To implement a crop insurance premium discount program at the State level for practices that improve soil health.

(b) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month, beginning on September 30, 1995 and ending on June 30, 2023, from the General Revenue Fund to the Partners for Conservation Fund, an amount equal to 1/10 of the amount set forth below in fiscal year 1996 and an amount equal to 1/12 of the amount set forth below in each of the other specified fiscal years:

| Fiscal Year | Amount |
|---|---|
| 1996 | $ 3,500,000 |
| 1997 | $ 9,000,000 |
| 1998 | $10,000,000 |
| 1999 | $11,000,000 |
| 2000 | $12,500,000 |
| 2001 through 2004 | $14,000,000 |
| 2005 | $7,000,000 |
| 2006 | $11,000,000 |
| 2007 | $0 |
| 2008 through 2011 | $14,000,000 |
| 2012 | $12,200,000 |
| 2013 through 2017 | $14,000,000 |
| 2018 | $1,500,000 |
| 2019 | $14,000,000 |
| 2020 | $7,500,000 |
| 2021 through 2023 | $14,000,000 |

(c) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month beginning on July 31, 2021 and ending June 30, 2022, from the Environmental Protection Permit and Inspection Fund to the Partners for Conservation Fund, an amount equal to 1/12 of $4,135,000.

(c-1) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month beginning on July 31, 2022 and ending June 30, 2023, from the Environmental Protection Permit and Inspection Fund to the Partners for Conservation Fund, an amount equal to 1/12 of $5,900,000.

(d) There shall be deposited into the Partners for Conservation Projects Fund such bond proceeds and other moneys as may, from time to time, be provided by law.

(Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

Section 10. The Grant Accountability and Transparency Act is amended by changing Section 45 as follows:

(30 ILCS 708/45)

Sec. 45. Applicability.

(a) Except as otherwise provided in this Section, the requirements established under this Act apply to State grant-making agencies that make State and federal pass-through awards to non-federal entities. These requirements apply to all costs related to State and federal pass-through awards. The requirements established under this Act do not apply to private awards, to allocations of State revenues paid over by the Comptroller to units of local government and other taxing districts pursuant to the State Revenue Sharing Act from the Local Government Distributive Fund or the Personal Property Tax Replacement Fund, to allotments of State motor fuel tax revenues distributed by the Department of Transportation to units of local government pursuant to the Motor Fuel Tax Law from the Motor Fuel Tax Fund or the Transportation Renewal Fund, or to awards, including capital appropriated funds, made by the Department of Transportation to units of local government for the purposes of transportation projects utilizing State funds, federal funds, or both State and federal funds. This Act shall recognize that federal and federal pass-through awards from the Department of Transportation to units of local government are governed by and must comply with federal guidelines under 2 CFR Part 200.

The changes made by this amendatory Act of the 102nd General Assembly apply to pending actions as well as actions commenced on or after the effective date of this amendatory Act of the 102nd General Assembly.

(a-5) Nothing in this Act shall prohibit the use of State funds for purposes of federal match or maintenance of effort.

(b) The terms and conditions of State, federal, and pass-through awards apply to subawards and subrecipients unless a particular Section of this Act or the terms and conditions of the State or federal award specifically indicate otherwise. Non-federal entities shall comply with requirements of this Act regardless of whether the non-federal entity is a recipient or subrecipient of a State or federal pass-through award. Pass-through entities shall comply with the requirements set forth under the rules adopted under subsection (a) of Section 20 of this Act, but not to any requirements in this Act directed towards State or federal awarding agencies, unless the requirements of the State or federal awards indicate otherwise.

When a non-federal entity is awarded a cost-reimbursement contract, only 2 CFR 200.330 through 200.332 are incorporated by reference into the contract. However, when the Cost Accounting Standards are applicable to the contract, they take precedence over the requirements of this Act unless they are in conflict with Subpart F of 2 CFR 200. In addition, costs that are made unallowable under 10 U.S.C. 2324(e) and 41 U.S.C. 4304(a), as described in the Federal Acquisition Regulations, subpart 31.2 and subpart 31.603, are always unallowable. For requirements other than those covered in Subpart D of 2 CFR 200.330 through 200.332, the terms of the contract and the Federal Acquisition Regulations apply.

With the exception of Subpart F of 2 CFR 200, which is required by the Single Audit Act, in any circumstances where the provisions of federal statutes or regulations differ from the provisions of this Act, the provision of the federal statutes or regulations govern. This includes, for agreements with Indian tribes, the provisions of the Indian Self-Determination and Education and Assistance Act, as amended, 25 U.S.C. 450-458ddd-2.

(c) State grant-making agencies may apply subparts A through E of 2 CFR 200 to for-profit entities, foreign public entities, or foreign organizations, except where the awarding agency determines that the application of these subparts would be inconsistent with the international obligations of the United States or the statute or regulations of a foreign government.

(d) 2 CFR 200.101 specifies how 2 CFR 200 is applicable to different types of awards. The same applicability applies to this Act.

(e) (Blank).

(f) For public institutions of higher education, the provisions of this Act apply only to awards funded by federal pass-through awards from a State agency to public institutions of higher education. This Act shall recognize provisions in 2 CFR 200 as applicable to public institutions of higher education, including Appendix III of Part 200 and the cost principles under Subpart E.

(g) Each grant-making agency shall enhance its processes to monitor and address noncompliance with reporting requirements and with program performance standards. Where applicable, the process may include a corrective action plan. The monitoring process shall include a plan for tracking and documenting performance-based contracting decisions.

(h) Notwithstanding any provision of law to the contrary, grants awarded from federal funds received from the federal Coronavirus State Fiscal Recovery Fund in accordance with Section 9901 of the American

Rescue Plan Act of 2021 are subject to the provisions of this Act, but only to the extent required by Section 9901 of the American Rescue Plan Act of 2021 and other applicable federal law or regulation.

(i) This Act does not apply to the Department of Agriculture's Soil and Water Conservation District Grants Program.

(Source: P.A. 101-81, eff. 7-12-19; 102-16, eff. 6-17-21; 102-626, eff. 8-27-21; 102-813, eff. 5-13-22; 102-1092, eff. 6-10-22.)

Section 15. The Soil and Water Conservation Districts Act is amended by adding Sections 3.24, 3.25, 3.26, 3.27, 22.03a, 22.03b, 22.03c, and 22.03d as follows:

(70 ILCS 405/3.24 new)

Sec. 3.24. "Healthy soils practices" means systems of agricultural, forestry, and land management practices that:

(1) improve the health of soils, including, but not limited to, consideration of depth of topsoil horizons, water infiltration rate, water-holding capacity, organic matter content, biologically accessible nutrient content, bulk density, biological activity, and biological and microbiological diversity;

(2) follow the principles of: minimizing soil disturbance and external inputs; keeping soil covered; maximizing biodiversity; diversifying crop rotations; maximizing presence of living roots; integrating animals and insects into land management, including grazing animals, birds, beneficial insects, or keystone species, such as earthworms; and incorporating the context of local conditions in decision-making, including, for example, soil type, topography, and time of year; and

(3) include practices such as tillage or no-till, cover-cropping, perennialization of highly erodible land, precision nitrogen and phosphorus application, managed grazing, integrated crop-livestock systems, silvopasture, agroforestry, perennial crops, integrated pest management, nutrient best management practices, invasive species removal and the planting of native species and those practices recommended by the United States Department of Agriculture's Natural Resources Conservation Service - Field Office Technical Guide.

(70 ILCS 405/3.25 new)

Sec. 3.25. "Soil health assessment" means a suite of soil-health-indicator measures, including, but not limited to, soil organic matter, soil structure, infiltration and bulk density, water-holding capacity, microbial biomass, and soil respiration.

(70 ILCS 405/3.26 new)

Sec. 3.26. "Initiative" means the Illinois Healthy Soils Initiative.

(70 ILCS 405/3.27 new)

Sec. 3.27. "Healthy soil" means the continuing capacity of a soil to function as a vital, living biological system that sustains plants, animals, and humans, increases soil organic matter, improves soil structure and water-holding and nutrient-holding capacity and nutrient cycling, enhances water infiltration and filtration capability, promotes water quality, and results in net long-term ecological benefits. "Healthy soil" includes soil that hosts a diversity of beneficial organisms, grow vigorous crops, enhance agricultural resilience, including the ability of crops and livestock to tolerate and recover from drought, temperature extremes, extreme precipitation events, pests, diseases, and other stresses, break down harmful chemicals, and help convert organic residues into stable soil organic matter and retaining nutrients, especially nitrogen and phosphorus.

(70 ILCS 405/22.03a new)

Sec. 22.03a. Illinois Healthy Soils Initiative.

(a) The Illinois Healthy Soils Initiative is created. It is the purpose of the Initiative to improve the health of soils through efforts that improve soil and water quality, increase the resilience of ecosystems to extreme weather events, protect and improve agricultural productivity, and support aquatic and wildlife habitat.

The Initiative shall be administered by the Director of Agriculture with consultation from soil and water conservation districts, the Illinois Environmental Protection Agency, the Department of Natural Resources, and the University of Illinois Extension Program. The Department shall create guidelines and guidance to assist soil and water conservation districts in developing soil health assessments in order to identify desired capacity and funding levels and establish regular, measurable, cost-effective, and technically achievable goals to advance voluntary and incentive-based strategies that improve healthy soils. These

assessments shall be used to identify opportunities to access and leverage financial and technical assistance from local, State, and federal sources to guide resources to their best potential use.

The Initiative shall complement and improve coordination of existing resources and processes and shall not replace existing, local, State, private, or federal funding or technical assistance programs. The Department shall report on progress of the Initiative annually.

The Initiative shall promote voluntary and incentive-based soil health efforts. No part of this Section shall be used to impose mandates or require practice adoption.

(70 ILCS 405/22.03b new)

Sec. 22.03b. Guidelines for soil health assessments. The Department shall adopt and revise guidelines to assist soil and water conservation districts in determining local goals and needs for implementing soil health assessments.

In developing its guidelines to assist soil and water conservation districts in determining local goals and needs for soil health assessments, the Department shall consider:

(1) county and State levels of conservation practice adoption. Guidance should also be provided to districts to meet USDA Natural Resource Conservation Service determined conservation practice standards or Illinois Urban Manual Practice Standards;

(2) information regarding beginning, socially disadvantaged, and veteran farmers and ranchers, as well as disadvantaged communities;

(3) availability of State, federal, and private financial and technical assistance programs to soil and water conservation districts, local governments, and conservation partners; and

(4) opportunities for evaluating results-based practices utilizing tools, such as the U.S. Department of Agriculture's revised universal soil loss equation, that model environmental outcomes at the field, county, watershed, or State level.

The information collected through the development of the guidelines shall be summarized and provided to the soil and water conservation districts to inform the development of local soil health assessments.

Initial guidelines shall be completed and provided to soil and water conservation districts by July 1 of each year and shall include the grant agreement for the Soil and Water Conservation District Grants Program as well as outlining the funding resource support contained within the grant agreement to better inform the development of local soil health assessments.

(70 ILCS 405/22.03c new)

Sec. 22.03c. Local soil health assessments. Upon the adoption of guidelines described in Section 22.03b, each soil and water conservation district shall develop its own soil health assessment to guide voluntary and incentive-based strategies to improve soil health. The soil health assessment shall be technically feasible and economically reasonable.

The Department shall provide a template to the districts for the local soil health assessment, including the required information listed in this Section as well as information regarding available data and support materials collected as the guidance information listed in Section 25.

Each district is encouraged to collaborate with other local governmental entities and local stakeholders in developing and implementing its soil health assessment. Each district shall use the guidelines provided by the Department in developing its soil health assessment.

Upon the request of a district, the Department shall assist in the preparation of the district's soil health assessment. Districts may also work collaboratively to establish joint plans to leverage existing capacity and resources most effectively.

To carry out its assessment, a district shall identify soil health practices. The soil health assessment must consider opportunities to access, leverage, and use State and federal resources within a specific soil and water conservation district service area.

Soil and water conservation districts may also convene producer-led dialogues to identify special initiatives or pilot projects to leverage additional resources and implement soil health practices at scale across multiple operations and land ownerships.

In developing a soil health assessment, the soil and water conservation district shall:

(1) evaluate existing assets, such as current practices, current cropping systems, crop processing and market infrastructure, riparian buffers, wetlands, public lands, funding, education, research and peer-to-peer training opportunities, and existing partnerships;

(2) consider the eligible funding categories available through the Partners for Conservation Fund and the district's ability to advance healthy soils practices consistent with Natural Resource Conservation Service soil health principles within a soil and water conservation district service area;

(3) determine vulnerabilities, such as runoff risk, riparian function, stormwater, floodplains and stream impairments, and observed and predicted impacts from climate change, especially to socially disadvantaged farmers, ranchers, and communities;

(4) identify opportunities to conduct outreach to agricultural producers and landowners and to develop individual soil health plans;

(5) establish goals for achieving measurable outcomes for soil health and farmer viability through voluntary and incentive-based activities. This includes identifying opportunities to support beginning, socially disadvantaged, and veteran farmers as well as small and mid-scale farmers;

(6) estimate 2-year funding levels needed from State, federal and private sources in order to achieve goals; and

(7) identify opportunities to develop partnerships and leverage resources from local governments, utilities, and State and federal agencies.

The Department shall identify shared goals and priorities between districts and shall assist in developing partnerships and shared funding approaches to maximize capacity and resources. Initial soil health assessments shall be submitted to the Department by September 1, 2024.

(70 ILCS 405/22.03d new)

Sec. 22.03d. Compliance and standards; cost sharing. To be eligible to receive State cost-share support after September 1, 2024, soil and water conservation districts shall have an updated soil health assessment.

The Department shall update its rules and procedures for cost-share funding to be inclusive of all relevant soil health practices promoting the rapid adoption of cost-effective and technically feasible projects. Updates to the rules and procedures for State cost-share programs shall also address barriers to access experienced by beginning, socially disadvantaged, and veteran farmers.

The Department may require results-based practices or the assessments of the environmental outcomes of projects, at the field or county level, as a condition of cost-share funding.

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

**AMENDMENT NO. 3 TO SENATE BILL 1701**

AMENDMENT NO. 3 . Amend Senate Bill 1701, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 2, by deleting line 19 on page 5 through line 18 on page 9.

There being no further amendments, the foregoing Amendments Numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Glowiak Hilton, **Senate Bill No. 1715** having been printed, was taken up, read by title a second time.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 1715**

AMENDMENT NO. 1 . Amend Senate Bill 1715 on page 1, line 12, by replacing "not less than" with "at least"; and

on page 1, line 18, by replacing "construction" with "new construction".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 1721** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Ventura, **Senate Bill No. 1769** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Environment and Conservation, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1769**

AMENDMENT NO. 1 . Amend Senate Bill 1769 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Government Zero-Emission Vehicle Act.

Section 5. Definitions. As used in this Act:

"Agency" means the Environmental Protection Agency.

"Governmental unit" means the State, a State agency, a unit of local government, or any other political subdivision of the State.

"Zero-emission vehicle" means a passenger motor vehicle that produces zero exhaust emissions of any criteria pollutant, precursor pollutant, or greenhouse gas, but only produces water vapor, in any mode of operation or condition, as determined by the Agency.

Section 10. Zero-emission vehicles of governmental units. Notwithstanding any other provision of law, all vehicles purchased or leased by a governmental unit after January 1, 2025 must be either a manufactured zero-emission vehicle or a converted zero-emission vehicle.

Section 15. Rules. The Environmental Protection Agency must adopt rules to implement and enforce this Act.

Section 90. Home rule. A home rule unit may not regulate the unit's vehicles in a manner inconsistent with this Act. This Act is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 95. The State Mandates Act is amended by adding Section 8.47 as follows:

(30 ILCS 805/8.47 new)

Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by the Government Zero-Emission Vehicle Act.".

Floor Amendment No. 2 was postponed in the Committee on Environment and Conservation.

Floor Amendment No. 3 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 1772** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Agriculture, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1772**

AMENDMENT NO. 1 . Amend Senate Bill 1772 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pesticide Act is amended by adding Section 13.10 as follows:

(415 ILCS 60/13.10 new)

Sec. 13.10. Lawn care pesticides; schools. Beginning July 1, 2024, no person shall spray a pesticide at a school serving students grades kindergarten through 8th grade on areas of the property where children may be present, including, but not limited to, blacktops, playing fields, or playgrounds, during normal school

hours or within 24 hours of students' arrival on school grounds for a normal school day. This Section shall not apply to areas of school grounds where children are not typically present, including, but not limited to, flower beds and lawns surrounding the schools not used as playing fields.

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

Senator Morrison offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 1772**

AMENDMENT NO. 2 . Amend Senate Bill 1772, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Pesticide Application at Schools Act.

Section 5. Legislative findings. The General Assembly finds that:

(1) schools throughout the State treat school property with pesticides in order to reduce risks to students from noxious weeds, such as thistle, poison ivy, pests, allergies, disease bearing insects, and activities on unlevel playing surfaces;

(2) unless properly applied in accordance with the United States Environmental Protection Agency's pesticide labels, schools may inadvertently expose children to pesticides; and

(3) it is the purpose of this Act to minimize student exposure to pesticides.

Section 10. Definition. As used in this Act, "school day" has the same meaning given to that term in Section 300.11 of the federal Individuals with Disabilities Education Act.

Section 15. Pesticide application prohibited. Beginning July 1, 2024, a school serving students grades kindergarten through 8th grade is prohibited from scheduling pesticide applications on school grounds during the school day, including during a partial day, when students are in attendance at school for instructional purposes. Areas prohibited from treatment include paved surfaces, playgrounds, and playing fields. This Section shall not apply to areas of school grounds where children are not typically present, including, but not limited to, flower beds and lawns surrounding the school not used as playing fields.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 1779** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 1803** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 1804** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

Floor Amendment No. 2 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Belt, **Senate Bill No. 1857** having been printed, was taken up, read by title a second time.

Senator Belt offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 1857**

AMENDMENT NO. 1 . Amend Senate Bill 1857 on page 3, lines 10 and 11, by replacing "Speaker of the House of Representatives" with "President of the Senate"; and

on page 3, lines 13 and 14, by replacing "President of the Senate" with "Speaker of the House of Representatives".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 1879** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **Senate Bill No. 1886** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1886**

AMENDMENT NO. 1 . Amend Senate Bill 1886 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 5-6-3 as follows:

(730 ILCS 5/5-6-3) (from Ch. 38, par. 1005-6-3)

Sec. 5-6-3. Conditions of probation and of conditional discharge.

(a) The conditions of probation and of conditional discharge shall be that the person:

(1) not violate any criminal statute of any jurisdiction;

(2) report to or appear in person before such person or agency as directed by the court;

(3) refrain from possessing a firearm or other dangerous weapon where the offense is a felony or, if a misdemeanor, the offense involved the intentional or knowing infliction of bodily harm or threat of bodily harm;

(4) not leave the State without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of the person's probation officer. Transfer of a person's probation or conditional discharge supervision to another state is subject to acceptance by the other state pursuant to the Interstate Compact for Adult Offender Supervision;

(5) permit the probation officer to visit him at his home or elsewhere to the extent necessary to discharge his duties;

(6) perform no less than 30 hours of community service and not more than 120 hours of community service, if community service is available in the jurisdiction and is funded and approved by the county board where the offense was committed, where the offense was related to or in furtherance of the criminal activities of an organized gang and was motivated by the offender's membership in or allegiance to an organized gang. The community service shall include, but not be limited to, the cleanup and repair of any damage caused by a violation of Section 21-1.3 of the Criminal Code of 1961 or the Criminal Code of 2012 and similar damage to property located within the municipality or county in which the violation occurred. When possible and reasonable, the community service should be performed in the offender's neighborhood. For purposes of this Section, "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act. The court may give credit toward the fulfillment of community service hours for participation in activities and treatment as determined by court services;

(7) if he or she is at least 17 years of age and has been sentenced to probation or conditional discharge for a misdemeanor or felony in a county of 3,000,000 or more inhabitants and has not been previously convicted of a misdemeanor or felony, may be required by the sentencing court to attend

educational courses designed to prepare the defendant for a high school diploma and to work toward a high school diploma or to work toward passing high school equivalency testing or to work toward completing a vocational training program approved by the court. The person on probation or conditional discharge must attend a public institution of education to obtain the educational or vocational training required by this paragraph (7). The court shall revoke the probation or conditional discharge of a person who willfully fails to comply with this paragraph (7). The person on probation or conditional discharge shall be required to pay for the cost of the educational courses or high school equivalency testing if a fee is charged for those courses or testing. The court shall resentence the offender whose probation or conditional discharge has been revoked as provided in Section 5-6-4. This paragraph (7) does not apply to a person who has a high school diploma or has successfully passed high school equivalency testing. This paragraph (7) does not apply to a person who is determined by the court to be a person with a developmental disability or otherwise mentally incapable of completing the educational or vocational program;

(8) if convicted of possession of a substance prohibited by the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act after a previous conviction or disposition of supervision for possession of a substance prohibited by the Cannabis Control Act or Illinois Controlled Substances Act or after a sentence of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, or Section 70 of the Methamphetamine Control and Community Protection Act and upon a finding by the court that the person is addicted, undergo treatment at a substance abuse program approved by the court;

(8.5) if convicted of a felony sex offense as defined in the Sex Offender Management Board Act, the person shall undergo and successfully complete sex offender treatment by a treatment provider approved by the Board and conducted in conformance with the standards developed under the Sex Offender Management Board Act;

(8.6) if convicted of a sex offense as defined in the Sex Offender Management Board Act, refrain from residing at the same address or in the same condominium unit or apartment unit or in the same condominium complex or apartment complex with another person he or she knows or reasonably should know is a convicted sex offender or has been placed on supervision for a sex offense; the provisions of this paragraph do not apply to a person convicted of a sex offense who is placed in a Department of Corrections licensed transitional housing facility for sex offenders;

(8.7) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is not related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (8.7), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is not related to the accused if the person is not: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(8.8) if convicted for an offense under Section 11-6, 11-9.1, 11-14.4 that involves soliciting for a juvenile prostitute, 11-15.1, 11-20.1, 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012, or any attempt to commit any of these offenses, committed on or after June 1, 2009 (the effective date of Public Act 95-983):

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the offender's probation officer, except in connection with the offender's employment or search for employment with the prior approval of the offender's probation officer;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the offender's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the offender's probation officer;

(8.9) if convicted of a sex offense as defined in the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-262), refrain from accessing or using a social networking website as defined in Section 17-0.5 of the Criminal Code of 2012;

(9) if convicted of a felony or of any misdemeanor violation of Section 12-1, 12-2, 12-3, 12-3.2, 12-3.4, or 12-3.5 of the Criminal Code of 1961 or the Criminal Code of 2012 that was determined, pursuant to Section 112A-11.1 of the Code of Criminal Procedure of 1963, to trigger the prohibitions of 18 U.S.C. 922(g)(9), physically surrender at a time and place designated by the court, his or her Firearm Owner's Identification Card and any and all firearms in his or her possession. The Court shall return to the Illinois State Police Firearm Owner's Identification Card Office the person's Firearm Owner's Identification Card;

(10) if convicted of a sex offense as defined in subsection (a-5) of Section 3-1-2 of this Code, unless the offender is a parent or guardian of the person under 18 years of age present in the home and no non-familial minors are present, not participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on Halloween, wearing a Santa Claus costume on or preceding Christmas, being employed as a department store Santa Claus, or wearing an Easter Bunny costume on or preceding Easter;

(11) if convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act committed on or after January 1, 2010 (the effective date of Public Act 96-362) that requires the person to register as a sex offender under that Act, may not knowingly use any computer scrub software on any computer that the sex offender uses;

(12) if convicted of a violation of the Methamphetamine Control and Community Protection Act, the Methamphetamine Precursor Control Act, or a methamphetamine related offense:

(A) prohibited from purchasing, possessing, or having under his or her control any product containing pseudoephedrine unless prescribed by a physician; and

(B) prohibited from purchasing, possessing, or having under his or her control any product containing ammonium nitrate; and

(13) if convicted of a hate crime involving the protected class identified in subsection (a) of Section 12-7.1 of the Criminal Code of 2012 that gave rise to the offense the offender committed, perform public or community service of no less than 200 hours and enroll in an educational program discouraging hate crimes that includes racial, ethnic, and cultural sensitivity training ordered by the court.

(b) The Court may in addition to other reasonable conditions relating to the nature of the offense or the rehabilitation of the defendant as determined for each defendant in the proper discretion of the Court require that the person:

(1) serve a term of periodic imprisonment under Article 7 for a period not to exceed that specified in paragraph (d) of Section 5-7-1;

(2) pay a fine and costs;

(3) work or pursue a course of study or vocational training;

(4) undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism;

(5) attend or reside in a facility established for the instruction or residence of defendants on probation;

(6) support his dependents;

(7) and in addition, if a minor:

(i) reside with his parents or in a foster home;

(ii) attend school;

(iii) attend a non-residential program for youth;

(iv) contribute to his own support at home or in a foster home;

(v) with the consent of the superintendent of the facility, attend an educational program at a facility other than the school in which the offense was committed if he or she is convicted of a crime of violence as defined in Section 2 of the Crime Victims Compensation Act committed in a school, on the real property comprising a school, or within 1,000 feet of the real property comprising a school;

(8) make restitution as provided in Section 5-5-6 of this Code;

(9) perform some reasonable public or community service;

(10) serve a term of home confinement. In addition to any other applicable condition of probation or conditional discharge, the conditions of home confinement shall be that the offender:

(i) remain within the interior premises of the place designated for his confinement during the hours designated by the court;

(ii) admit any person or agent designated by the court into the offender's place of confinement at any time for purposes of verifying the offender's compliance with the conditions of his confinement; and

(iii) if further deemed necessary by the court or the Probation or Court Services Department, be placed on an approved electronic monitoring device, subject to Article 8A of Chapter V;

(iv) for persons convicted of any alcohol, cannabis or controlled substance violation who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the offender to pay the fee, the court assesses a lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the substance abuse services fund under Section 5-1086.1 of the Counties Code, except as provided in an administrative order of the Chief Judge of the circuit court.

The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device; and

(v) for persons convicted of offenses other than those referenced in clause (iv) above and who are placed on an approved monitoring device as a condition of probation or conditional discharge, the court shall impose a reasonable fee for each day of the use of the device, as established by the county board in subsection (g) of this Section, unless after determining the inability of the defendant to pay the fee, the court assesses a lesser fee or no fee as the case may be. This fee shall be imposed in addition to the fees imposed under subsections (g) and (i) of this Section. The fee shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer who shall use the monies collected to defray the costs of corrections. The county treasurer shall deposit the fee collected in the probation and court services fund. The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device.

(11) comply with the terms and conditions of an order of protection issued by the court pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended, or an order of protection issued by the court of another state, tribe, or United States territory. A copy of the order of protection shall be transmitted to the probation officer or agency having responsibility for the case;

(12) reimburse any "local anti-crime program" as defined in Section 7 of the Anti-Crime Advisory Council Act for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced;

(13) contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, (i) to a "local anti-crime program", as defined in Section 7 of the Anti-Crime Advisory Council Act, or (ii) for offenses under the jurisdiction of the Department of Natural Resources, to the fund established by the Department of Natural Resources for the purchase of evidence for investigation purposes and to conduct investigations as outlined in Section 805-105 of the Department of Natural Resources (Conservation) Law;

(14) refrain from entering into a designated geographic area except upon such terms as the court finds appropriate. Such terms may include consideration of the purpose of the entry, the time of day, other persons accompanying the defendant, and advance approval by a probation officer, if the defendant has been placed on probation or advance approval by the court, if the defendant was placed on conditional discharge;

(15) refrain from having any contact, directly or indirectly, with certain specified persons or particular types of persons, including but not limited to members of street gangs and drug users or dealers;

(16) refrain from having in his or her body the presence of any illicit drug prohibited by ~~the Cannabis Control Act,~~ the Illinois Controlled Substances Act~~,~~ or the Methamphetamine Control and Community Protection Act, unless prescribed by a physician, and submit samples of his or her blood or urine or both for tests to determine the presence of any illicit drug;

(17) if convicted for an offense committed on or after June 1, 2008 (the effective date of Public Act 95-464) that would qualify the accused as a child sex offender as defined in Section 11-9.3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of 2012, refrain from communicating with or contacting, by means of the Internet, a person who is related to the accused and whom the accused reasonably believes to be under 18 years of age; for purposes of this paragraph (17), "Internet" has the meaning ascribed to it in Section 16-0.1 of the Criminal Code of 2012; and a person is related to the accused if the person is: (i) the spouse, brother, or sister of the accused; (ii) a descendant of the accused; (iii) a first or second cousin of the accused; or (iv) a step-child or adopted child of the accused;

(18) if convicted for an offense committed on or after June 1, 2009 (the effective date of Public Act 95-983) that would qualify as a sex offense as defined in the Sex Offender Registration Act:

(i) not access or use a computer or any other device with Internet capability without the prior written approval of the offender's probation officer, except in connection with the offender's employment or search for employment with the prior approval of the offender's probation officer;

(ii) submit to periodic unannounced examinations of the offender's computer or any other device with Internet capability by the offender's probation officer, a law enforcement officer, or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment, or device to conduct a more thorough inspection;

(iii) submit to the installation on the offender's computer or device with Internet capability, at the subject's expense, of one or more hardware or software systems to monitor the Internet use; and

(iv) submit to any other appropriate restrictions concerning the offender's use of or access to a computer or any other device with Internet capability imposed by the offender's probation officer; and

(19) refrain from possessing a firearm or other dangerous weapon where the offense is a misdemeanor that did not involve the intentional or knowing infliction of bodily harm or threat of bodily harm.

(c) The court may as a condition of probation or of conditional discharge require that a person under 18 years of age found guilty of any alcohol, cannabis or controlled substance violation, refrain from acquiring a driver's license during the period of probation or conditional discharge. If such person is in possession of a permit or license, the court may require that the minor refrain from driving or operating any motor vehicle during the period of probation or conditional discharge, except as may be necessary in the course of the minor's lawful employment.

(d) An offender sentenced to probation or to conditional discharge shall be given a certificate setting forth the conditions thereof.

(e) Except where the offender has committed a fourth or subsequent violation of subsection (c) of Section 6-303 of the Illinois Vehicle Code, the court shall not require as a condition of the sentence of probation or conditional discharge that the offender be committed to a period of imprisonment in excess of 6 months. This 6-month limit shall not include periods of confinement given pursuant to a sentence of county impact incarceration under Section 5-8-1.2.

Persons committed to imprisonment as a condition of probation or conditional discharge shall not be committed to the Department of Corrections.

(f) The court may combine a sentence of periodic imprisonment under Article 7 or a sentence to a county impact incarceration program under Article 8 with a sentence of probation or conditional discharge.

(g) An offender sentenced to probation or to conditional discharge and who during the term of either undergoes mandatory drug or alcohol testing, or both, or is assigned to be placed on an approved electronic monitoring device, shall be ordered to pay all costs incidental to such mandatory drug or alcohol testing, or both, and all costs incidental to such approved electronic monitoring in accordance with the defendant's ability to pay those costs. The county board with the concurrence of the Chief Judge of the judicial circuit in which the county is located shall establish reasonable fees for the cost of maintenance, testing, and incidental expenses related to the mandatory drug or alcohol testing, or both, and all costs incidental to approved electronic monitoring, involved in a successful probation program for the county. The concurrence of the Chief Judge shall be in the form of an administrative order. The fees shall be collected by the clerk of the circuit court, except as provided in an administrative order of the Chief Judge of the circuit court. The clerk of the circuit court shall pay all moneys collected from these fees to the county treasurer who shall use the moneys collected to defray the costs of drug testing, alcohol testing, and electronic monitoring. The county treasurer shall deposit the fees collected in the county working cash fund under Section 6-27001 or Section 6-29002 of the Counties Code, as the case may be. The Chief Judge of the circuit court of the county may by administrative order establish a program for electronic monitoring of offenders, in which a vendor supplies and monitors the operation of the electronic monitoring device, and collects the fees on behalf of the county. The program shall include provisions for indigent offenders and the collection of unpaid fees. The program shall not unduly burden the offender and shall be subject to review by the Chief Judge. A person shall not be assessed costs or fees for mandatory testing for drugs, alcohol, or both, if the person is an indigent person as defined in paragraph (2) of subsection (a) of Section 5-105 of the Code of Civil Procedure.

The Chief Judge of the circuit court may suspend any additional charges or fees for late payment, interest, or damage to any device.

(h) Jurisdiction over an offender may be transferred from the sentencing court to the court of another circuit with the concurrence of both courts. Further transfers or retransfers of jurisdiction are also authorized in the same manner. The court to which jurisdiction has been transferred shall have the same powers as the sentencing court. The probation department within the circuit to which jurisdiction has been transferred, or which has agreed to provide supervision, may impose probation fees upon receiving the transferred offender, as provided in subsection (i). For all transfer cases, as defined in Section 9b of the Probation and Probation Officers Act, the probation department from the original sentencing court shall retain all probation fees collected prior to the transfer. After the transfer, all probation fees shall be paid to the probation department within the circuit to which jurisdiction has been transferred.

(i) The court shall impose upon an offender sentenced to probation after January 1, 1989 or to conditional discharge after January 1, 1992 or to community service under the supervision of a probation or court services department after January 1, 2004, as a condition of such probation or conditional discharge or supervised community service, a fee of $50 for each month of probation or conditional discharge supervision or supervised community service ordered by the court, unless after determining the inability of the person sentenced to probation or conditional discharge or supervised community service to pay the fee, the court assesses a lesser fee. The court may not impose the fee on a minor who is placed in the guardianship or custody of the Department of Children and Family Services under the Juvenile Court Act of 1987 while the minor is in placement. The fee shall be imposed only upon an offender who is actively supervised by the probation and court services department. The fee shall be collected by the clerk of the circuit court. The clerk of the circuit court shall pay all monies collected from this fee to the county treasurer for deposit in the probation and court services fund under Section 15.1 of the Probation and Probation Officers Act.

A circuit court may not impose a probation fee under this subsection (i) in excess of $25 per month unless the circuit court has adopted, by administrative order issued by the chief judge, a standard probation

fee guide determining an offender's ability to pay. Of the amount collected as a probation fee, up to $5 of that fee collected per month may be used to provide services to crime victims and their families.

The Court may only waive probation fees based on an offender's ability to pay. The probation department may re-evaluate an offender's ability to pay every 6 months, and, with the approval of the Director of Court Services or the Chief Probation Officer, adjust the monthly fee amount. An offender may elect to pay probation fees due in a lump sum. Any offender that has been assigned to the supervision of a probation department, or has been transferred either under subsection (h) of this Section or under any interstate compact, shall be required to pay probation fees to the department supervising the offender, based on the offender's ability to pay.

Public Act 93-970 deletes the $10 increase in the fee under this subsection that was imposed by Public Act 93-616. This deletion is intended to control over any other Act of the 93rd General Assembly that retains or incorporates that fee increase.

(i-5) In addition to the fees imposed under subsection (i) of this Section, in the case of an offender convicted of a felony sex offense (as defined in the Sex Offender Management Board Act) or an offense that the court or probation department has determined to be sexually motivated (as defined in the Sex Offender Management Board Act), the court or the probation department shall assess additional fees to pay for all costs of treatment, assessment, evaluation for risk and treatment, and monitoring the offender, based on that offender's ability to pay those costs either as they occur or under a payment plan.

(j) All fines and costs imposed under this Section for any violation of Chapters 3, 4, 6, and 11 of the Illinois Vehicle Code, or a similar provision of a local ordinance, and any violation of the Child Passenger Protection Act, or a similar provision of a local ordinance, shall be collected and disbursed by the circuit clerk as provided under the Criminal and Traffic Assessment Act.

(k) Any offender who is sentenced to probation or conditional discharge for a felony sex offense as defined in the Sex Offender Management Board Act or any offense that the court or probation department has determined to be sexually motivated as defined in the Sex Offender Management Board Act shall be required to refrain from any contact, directly or indirectly, with any persons specified by the court and shall be available for all evaluations and treatment programs required by the court or the probation department.

(l) The court may order an offender who is sentenced to probation or conditional discharge for a violation of an order of protection be placed under electronic surveillance as provided in Section 5-8A-7 of this Code.

(m) A person on probation, conditional discharge, or supervision shall not be ordered to refrain from having cannabis or alcohol in his or her body unless:

(1) the person is under 21 years old;

(2) the person was sentenced to probation, conditional discharge, or supervision for an offense which had as an element of the offense the presence of an intoxicating compound in the person's body; or

(3) the person is participating in a problem-solving court certified by the Illinois Supreme Court.

For each condition imposed, the court shall state the reasonable relation the condition has to the person's crime of conviction.

(n) A person on probation, conditional discharge, or supervision shall not be ordered to refrain from use or consumption of any substance lawfully prescribed by a medical provider or authorized by the Compassionate Use of Medical Cannabis Program Act.

(Source: P.A. 102-538, eff. 8-20-21; 102-558, eff. 8-20-21.)".

Floor Amendment No. 2 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 1910** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 1913** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1915** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ellman, **Senate Bill No. 1933** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Environment and Conservation.

The following amendment was offered in the Committee on Environment and Conservation, adopted and ordered printed:

**AMENDMENT NO. 2 TO SENATE BILL 1933**

AMENDMENT NO. 2 . Amend Senate Bill 1933, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 31 as follows:

(415 ILCS 5/31) (from Ch. 111 1/2, par. 1031)

Sec. 31. Notice; complaint; hearing.

(a)(1) Within 180 days after becoming aware of an alleged violation of the Act, any rule adopted under the Act, a permit granted by the Agency, or a condition of such a permit, the Agency shall issue and serve, by certified mail, upon the person complained against a written notice informing that person that the Agency has evidence of the alleged violation. At a minimum, the written notice shall contain:

(A) a notification to the person complained against of the requirement to submit a written response addressing the violations alleged and the option to meet with appropriate agency personnel to resolve any alleged violations that could lead to the filing of a formal complaint;

(B) a detailed explanation by the Agency of the violations alleged;

(C) an explanation by the Agency of the actions that the Agency believes may resolve the alleged violations, including an estimate of a reasonable time period for the person complained against to complete the suggested resolution; and

(D) an explanation of any alleged violation that the Agency believes cannot be resolved without the involvement of the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violation occurred and the basis for the Agency's belief.

(2) A written response to the violations alleged shall be submitted to the Agency, by certified mail, within 45 days after receipt of notice by the person complained against, or within an extended time period as agreed to by the Agency and person complained against ~~unless the Agency agrees to an extension~~. The written response shall include:

(A) information in rebuttal, explanation or justification of each alleged violation;

(B) if the person complained against desires to enter into a Compliance Commitment Agreement, proposed terms for a Compliance Commitment Agreement that includes specified times for achieving each commitment and which may consist of a statement indicating that the person complained against believes that compliance has been achieved; and

(C) a request for a meeting with appropriate Agency personnel if a meeting is desired by the person complained against.

(3) If the person complained against fails to respond in accordance with the requirements of subdivision (2) of this subsection (a), the failure to respond shall be considered a waiver of the requirements of this subsection (a) and nothing in this Section shall preclude the Agency from proceeding pursuant to subsection (b) of this Section.

(4) A meeting requested pursuant to subdivision (2) of this subsection (a) shall be held without a representative of the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violation occurred, within 60 days after receipt of notice by the person complained against, or within an extended time period as agreed to by the Agency and person complained against ~~unless the Agency agrees to a postponement~~. At the meeting, the Agency shall provide an opportunity for the person complained against to respond to each alleged violation, suggested resolution, and suggested implementation time frame, and to suggest alternate resolutions.

(5) If a meeting requested pursuant to subdivision (2) of this subsection (a) is held, the person complained against shall, within 21 days following the meeting or within an extended time period as agreed

to by the Agency and person complained against, submit by certified mail to the Agency a written response to the alleged violations. The written response shall include:

(A) additional information in rebuttal, explanation, or justification of each alleged violation;

(B) if the person complained against desires to enter into a Compliance Commitment Agreement, proposed terms for a Compliance Commitment Agreement that includes specified times for achieving each commitment and which may consist of a statement indicating that the person complained against believes that compliance has been achieved; and

(C) a statement indicating that, should the person complained against so wish, the person complained against chooses to rely upon the initial written response submitted pursuant to subdivision (2) of this subsection (a).

(6) If the person complained against fails to respond in accordance with the requirements of subdivision (5) of this subsection (a), the failure to respond shall be considered a waiver of the requirements of this subsection (a) and nothing in this Section shall preclude the Agency from proceeding pursuant to subsection (b) of this Section.

(7) Within 30 days after the Agency's receipt of a written response submitted by the person complained against pursuant to subdivision (2) of this subsection (a) if a meeting is not requested or pursuant to subdivision (5) of this subsection (a) if a meeting is held, or within a later time period as agreed to by the Agency and the person complained against, the Agency shall issue and serve, by certified mail, upon the person complained against (i) a proposed Compliance Commitment Agreement or (ii) a notice that one or more violations cannot be resolved without the involvement of the Office of the Attorney General or the State's Attorney of the county in which the alleged violation occurred and that no proposed Compliance Commitment Agreement will be issued by the Agency for those violations. The Agency shall include terms and conditions in the proposed Compliance Commitment Agreement that are, in its discretion, necessary to bring the person complained against into compliance with the Act, any rule adopted under the Act, any permit granted by the Agency, or any condition of such a permit. The Agency shall take into consideration the proposed terms for the proposed Compliance Commitment Agreement that were provided under subdivision (a)(2)(B) or (a)(5)(B) of this Section by the person complained against.

(7.5) Within 30 days after the receipt of the Agency's proposed Compliance Commitment Agreement by the person complained against, or within a later time period not to exceed an additional 30 days as agreed to by the Agency and the person complained against, the person shall either (i) agree to and sign the proposed Compliance Commitment Agreement provided by the Agency and submit the signed Compliance Commitment Agreement to the Agency by certified mail or (ii) notify the Agency in writing by certified mail of the person's rejection of the proposed Compliance Commitment Agreement. If the person complained against fails to respond to the proposed Compliance Commitment Agreement within 30 days as required under this paragraph, the proposed Compliance Commitment Agreement is deemed rejected by operation of law. Any Compliance Commitment Agreement entered into under item (i) of this paragraph may be amended subsequently in writing by mutual agreement between the Agency and the signatory to the Compliance Commitment Agreement, the signatory's legal representative, or the signatory's agent.

(7.6) No person shall violate the terms or conditions of a Compliance Commitment Agreement entered into under subdivision (a)(7.5) of this Section. Successful completion of a Compliance Commitment Agreement or an amended Compliance Commitment Agreement shall be a factor to be weighed, in favor of the person completing the Agreement, by the Office of the Illinois Attorney General in determining whether to file a complaint for the violations that were the subject of the Agreement.

(7.7) Within 30 days after a Compliance Commitment Agreement takes effect or is amended in accordance with paragraph (7.5), the Agency shall publish a copy of the final executed Compliance Commitment Agreement on the Agency's website. The Agency shall maintain an Internet database of all Compliance Commitment Agreements entered on or after the effective date of this amendatory Act of the 100th General Assembly. At a minimum, the database shall be searchable by the following categories: the county in which the facility that is subject to the Compliance Commitment Agreement is located; the date of final execution of the Compliance Commitment Agreement; the name of the respondent; and the media involved, including air, water, land, or public water supply.

(8) Nothing in this subsection (a) is intended to require the Agency to enter into Compliance Commitment Agreements for any alleged violation that the Agency believes cannot be resolved without the involvement of the Office of the Attorney General or the State's Attorney of the county in which the alleged violation occurred, for, among other purposes, the imposition of statutory penalties.

(9) The Agency's failure to respond within 30 days of receipt to a written response submitted pursuant to subdivision (2) of this subsection (a) if a meeting is not requested or pursuant to subdivision (5) of this subsection (a) if a meeting is held, or within the time period otherwise agreed to in writing by the Agency and the person complained against, shall be deemed an acceptance by the Agency of the proposed terms of the Compliance Commitment Agreement for the violations alleged in the written notice issued under subdivision (1) of this subsection (a) as contained within the written response.

(10) If the person complained against complies with the terms of a Compliance Commitment Agreement accepted pursuant to this subsection (a), the Agency shall not refer the alleged violations which are the subject of the Compliance Commitment Agreement to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violation occurred. However, nothing in this subsection is intended to preclude the Agency from continuing negotiations with the person complained against or from proceeding pursuant to the provisions of subsection (b) of this Section for alleged violations that remain the subject of disagreement between the Agency and the person complained against following fulfillment of the requirements of this subsection (a).

(11) Nothing in this subsection (a) is intended to preclude the person complained against from submitting to the Agency, by certified mail, at any time, notification that the person complained against consents to waiver of the requirements of subsections (a) and (b) of this Section.

(12) The Agency shall have the authority to adopt rules for the administration of subsection (a) of this Section. The rules shall be adopted in accordance with the provisions of the Illinois Administrative Procedure Act.

(b) For alleged violations that remain the subject of disagreement between the Agency and the person complained against following fulfillment of the requirements of subsection (a) of this Section, and for alleged violations of the terms or conditions of a Compliance Commitment Agreement entered into under subdivision (a)(7.5) of this Section as well as the alleged violations that are the subject of the Compliance Commitment Agreement, and as a precondition to the Agency's referral or request to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violation occurred for legal representation regarding an alleged violation that may be addressed pursuant to subsection (c) or (d) of this Section or pursuant to Section 42 of this Act, the Agency shall issue and serve, by certified mail, upon the person complained against a written notice informing that person that the Agency intends to pursue legal action. Such notice shall notify the person complained against of the violations to be alleged and offer the person an opportunity to meet with appropriate Agency personnel in an effort to resolve any alleged violations that could lead to the filing of a formal complaint. The meeting with Agency personnel shall be held within 30 days after receipt of notice served pursuant to this subsection upon the person complained against, unless the Agency agrees to a postponement or the person notifies the Agency that he or she will not appear at a meeting within the 30-day time period. Nothing in this subsection is intended to preclude the Agency from following the provisions of subsection (c) or (d) of this Section or from requesting the legal representation of the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violations occurred for alleged violations which remain the subject of disagreement between the Agency and the person complained against after the provisions of this subsection are fulfilled.

(c)(1) For alleged violations which remain the subject of disagreement between the Agency and the person complained against following waiver pursuant to subdivision (10) of subsection (a) of this Section or fulfillment of the requirements of subsections (a) and (b) of this Section, the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violation occurred shall issue and serve upon the person complained against a written notice, together with a formal complaint, which shall specify the provision of the Act, rule, regulation, permit, or term or condition thereof under which such person is said to be in violation and a statement of the manner in and the extent to which such person is said to violate the Act, rule, regulation, permit, or term or condition thereof and shall require the person so complained against to answer the charges of such formal complaint at a hearing before the Board at a time not less than 21 days after the date of notice by the Board, except as provided in Section 34 of this Act. Such complaint shall be accompanied by a notification to the defendant that financing may be available, through the Illinois Environmental Facilities Financing Act, to correct such violation. A copy of such notice of such hearings shall also be sent to any person that has complained to the Agency respecting the respondent within the six months preceding the date of the complaint, and to any person in the county in which the offending activity occurred that has requested notice of enforcement proceedings; 21 days notice of such hearings shall also be published in a newspaper of general circulation in such county. The respondent may file a written answer, and at such hearing the rules prescribed in Sections 32 and 33 of this Act shall apply. In the case of actual or

threatened acts outside Illinois contributing to environmental damage in Illinois, the extraterritorial service-of-process provisions of Sections 2-208 and 2-209 of the Code of Civil Procedure shall apply.

With respect to notices served pursuant to this subsection (c)(1) that involve hazardous material or wastes in any manner, the Agency shall annually publish a list of all such notices served. The list shall include the date the investigation commenced, the date notice was sent, the date the matter was referred to the Attorney General, if applicable, and the current status of the matter.

(2) Notwithstanding the provisions of subdivision (1) of this subsection (c), whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing pursuant to subdivision (1). Unless the Board, in its discretion, concludes that a hearing will be held, the Board shall cause notice of the stipulation, proposal and request for relief to be published and sent in the same manner as is required for hearing pursuant to subdivision (1) of this subsection. The notice shall include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1).

(3) Notwithstanding the provisions of subdivision (1) of this subsection (c), if the Agency becomes aware of a violation of this Act arising from, or as a result of, voluntary pollution prevention activities, the Agency shall not proceed with the written notice required by subsection (a) of this Section unless:

(A) the person fails to take corrective action or eliminate the reported violation within a reasonable time; or

(B) the Agency believes that the violation poses a substantial and imminent danger to the public health or welfare or the environment. For the purposes of this item (B), "substantial and imminent danger" means a danger with a likelihood of serious or irreversible harm.

(d)(1) Any person may file with the Board a complaint, meeting the requirements of subsection (c) of this Section, against any person allegedly violating this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order. The complainant shall immediately serve a copy of such complaint upon the person or persons named therein. Unless the Board determines that such complaint is duplicative or frivolous, it shall schedule a hearing and serve written notice thereof upon the person or persons named therein, in accord with subsection (c) of this Section.

(2) Whenever a complaint has been filed by a person other than the Attorney General or the State's Attorney, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement of subdivision (c)(1) of this Section. Unless the Board, in its discretion, concludes that a hearing should be held, no hearing on the stipulation and proposal for settlement is required.

(e) In hearings before the Board under this Title the burden shall be on the Agency or other complainant to show either that the respondent has caused or threatened to cause air or water pollution or that the respondent has violated or threatens to violate any provision of this Act or any rule or regulation of the Board or permit or term or condition thereof. If such proof has been made, the burden shall be on the respondent to show that compliance with the Board's regulations would impose an arbitrary or unreasonable hardship.

(f) The provisions of this Section shall not apply to administrative citation actions commenced under Section 31.1 of this Act.

(Source: P.A. 100-1080, eff. 8-24-18.)

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

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Ellman, **Senate Bill No. 1929** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Ellman, **Senate Bill No. 1935** having been printed, was taken up, read by title a second time.

Senator Ellman offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 1935**

AMENDMENT NO. 1 . Amend Senate Bill 1935 on page 2, by replacing lines 10 through 24 with the following:

"When the administrator determines that property is to be disposed of by sale, he shall offer it first to the following entities for purchase at an appraised value:

(1) municipalities, counties, and school districts of the State; ~~and to~~

(2) charitable, not-for-profit educational and public health organizations, including but not limited to medical institutions, clinics, hospitals, health centers, schools, colleges, universities, child care centers, museums, nursing homes, programs for the elderly, food banks, State Use Sheltered Workshops and the Boy and Girl Scouts of America; ~~, for purchase at an appraised value.~~

(3) minority-owned businesses, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act; and

(4) qualified veteran-owned small businesses, as defined in Section 45-57 of the Illinois Procurement Code.

Notice of inspection or viewing dates and property lists shall be distributed in the manner provided in rules and regulations promulgated by the Administrator for that purpose.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Gillespie, **Senate Bill No. 1964** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Health and Human Services, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1964**

AMENDMENT NO. 1 . Amend Senate Bill 1964 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Public Aid Code is amended by adding Sections 1-13 as follows:

(305 ILCS 5/1-13 new)

Sec. 1-13. Program and reimbursement changes under the medical assistance program.

(a) It is the purpose of this Section to improve planning and consistency for implementation of program and reimbursement changes under the medical assistance program. It is critical that there is an adequate planning timeline in order to structure changes in a way that meets the needs of program enrollees and allow proper time to educate and consult with impacted providers. Streamlining the dates upon which program and reimbursement changes take effect promotes strategic planning by the State to ensure all programs and policies are aligned to meet the goals of the medical assistance program. In addition, allowing time to operationalize changes and collaborate with providers significantly reduces provider confusion and abrasion.

(b) Effective January 1, 2024, for any program coverage benefit change or reimbursement methodology change enacted by the General Assembly or implemented through administrative rule by the Department after the effective date of this amendatory Act of the 103rd General Assembly, there shall be a 6-month implementation period resulting in an effective date which is not sooner than 6 months following the effective date of the new change by law or administrative rule, except that the change shall either have an effective date of January 1 or July 1, whichever occurs first after the end of the 6-month implementation period. The Department and all affected Medicaid managed care organizations shall publish the applicable effective date of implementation for any such benefit or reimbursement methodology change on their publicly accessible website no less than 120 days prior to the effective date of implementation. The requirements of this Section do not apply to scheduled periodic rate updates, updates required by federal regulation, or required updates published by the federal Centers for Medicare and Medicaid Services. Scheduled and periodic rate updates shall be published on the Department's publicly accessible website no less than 30 days prior to the effective date of such rate updates.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Gillespie, **Senate Bill No. 1965** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **Senate Bill No. 1979** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Loughran Cappel, **Senate Bill No. 1993** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Loughran Cappel, **Senate Bill No. 1994** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 2020** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 2020**

AMENDMENT NO. 1 . Amend Senate Bill 2020 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Sections 21-240, 21-310, 21-330, 22-10, 22-35, and 22-50 as follows:

(35 ILCS 200/21-240)

Sec. 21-240. Payment for property purchased at tax sale; reoffering for sale. Except as otherwise provided below, the person purchasing any property, or any part thereof, shall be liable to the county for the amount due and shall forthwith pay to the county collector the amount charged on the property. Upon failure to do so, the amount due shall be recoverable in a civil action brought in the name of the People of the State of Illinois in any court of competent jurisdiction. The person so purchasing shall be relieved of liability only by payment of the amount due together with interest and costs thereon, or if the property is reoffered at the sale, purchased and paid for. Reoffering of the property for sale shall be at the discretion of the collector. The sale shall not be closed until payment is made or the property again offered for sale. In counties with 3,000,000 or more inhabitants, only the taxes, special assessments, interest and costs as advertised in the sale shall be required to be paid forthwith. The general taxes charged on the land remaining due and unpaid, including amounts subject to certificates of error, not included in the advertisement, shall be paid by the purchaser within 10 days after the sale, except that upon payment of the fee provided by law to the County Clerk (which fee shall be deemed part of the costs of sale) the purchaser may make written application, within the 10 day period, to the county clerk for a statement of all taxes, interest and costs due and an estimate of the cost of redemption of all forfeited general taxes, which were not included in the advertisement. After obtaining such statement and estimate and an order on the county collector to receive the amount of forfeited general taxes, if any, the purchaser shall pay to the county collector all the remaining taxes, interest and costs, and the amount necessary to redeem the forfeited general taxes. The county collector shall issue the purchaser a receipt therefor. Any delay in providing the statement or in accepting payment, and delivering receipt therefor, shall not be counted as a part of the 10 days. When the receipt of the collector is issued, a copy shall be filed with the county clerk and the county clerk shall include the amount shown in such receipt in the amount of the purchase price of the property in the certificate of purchase. The purchaser then shall be entitled to a certificate of purchase. If a purchaser fails to complete his or her purchase as provided in this Section, the purchase shall become void, and be of no effect, but the

collector shall not refund the amount paid in cash at the time of the sale, except in cases of sale in error under subsection (a) of Section 21-310. That amount shall be treated as a payment and distributed to the taxing bodies as other collections are distributed. The lien for taxes for the amount paid shall remain on the property, in favor of the purchaser, his or her heirs or assigns, until paid with 5% interest per year on that amount from the date the purchaser paid it. The amount and fact of such ineffective purchase shall be entered in the tax judgment, sale, redemption and forfeiture record opposite the property upon which the lien remains. No redemption shall be made without payment of this amount for the benefit of the purchaser, and no future sale of the property shall be made except subject to the lien of such purchaser. This section shall not apply to any purchase by any city, village or incorporated town in default of other bidders at any sale for delinquent special assessments.

(Source: P.A. 84-1308; 88-455.)

(35 ILCS 200/21-310)

Sec. 21-310. Sales in error.

(a) When, upon application of the county collector, the owner of the certificate of purchase, or a municipality which owns or has owned the property ordered sold, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) the property was not subject to taxation, or all or any part of the lien of taxes sold has become null and void pursuant to Section 21-95 or unenforceable pursuant to subsection (c) of Section 18-250 or subsection (b) of Section 22-40; ~~,~~

(2) the taxes or special assessments had been paid prior to the sale of the property; ~~,~~

(3) there is a double assessment; ~~,~~

(4) the description is void for uncertainty; ~~,~~

(5) the assessor, chief county assessment officer, board of review, board of appeals, or other county official has made an error material to the tax sale at issue (other than an error of judgment as to the value of any property or an error in the description of the physical characteristics, location, or picture of the property); ~~,~~

(5.5) the owner of the homestead property had tendered timely and full payment to the county collector that the owner reasonably believed was due and owing on the homestead property, and the county collector did not apply the payment to the homestead property; provided that this provision applies only to homeowners, not their agents or third-party payors; ~~,~~

(6) prior to the tax sale a voluntary or involuntary petition has been filed by or against the legal or beneficial owner of the property requesting relief under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13, the property is subject to an automatic stay pursuant to that petition, and that stay is active on the date of that sale;

(7) the property is owned by the United States, the State of Illinois, a municipality, or a taxing district; ~~,~~ or

(8) the owner of the property is a reservist or guardsperson who is granted an extension of his or her due date under Sections 21-15, 21-20, and 21-25 of this Act.

(b) When, upon application of the owner of the certificate of purchase only, it appears to the satisfaction of the court which ordered the property sold that any of the following subsections are applicable, the court shall declare the sale to be a sale in error:

(1) (Blank). ~~A voluntary or involuntary petition under the provisions of 11 U.S.C. Chapter 7, 11, 12, or 13 has been filed subsequent to the tax sale and prior to the issuance of the tax deed.~~

(2) The improvements upon the property sold have been substantially destroyed or rendered uninhabitable or otherwise unfit for occupancy subsequent to the tax sale and prior to the issuance of the tax deed; however, if the court declares a sale in error under this paragraph (2), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (2) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

(3) There is an interest held by the United States in the property sold which could not be extinguished by the tax deed.

(4) The real property contains a hazardous substance, hazardous waste, or underground storage tank that would require cleanup or other removal under any federal, State, or local law, ordinance, or

regulation, only if the tax purchaser purchased the property without actual knowledge of the hazardous substance, hazardous waste, or underground storage tank. This paragraph (4) applies only if the owner of the certificate of purchase has made application for a sale in error at any time before the issuance of a tax deed. If the court declares a sale in error under this paragraph (4), the court may order the holder of the certificate of purchase to assign the certificate to the county collector if requested by the county collector. The county collector may, upon request of the county, as trustee, or upon request of a taxing district having an interest in the taxes sold, further assign any certificate of purchase received pursuant to this paragraph (4) to the county acting as trustee for taxing districts pursuant to Section 21-90 of this Code or to the taxing district having an interest in the taxes sold.

Whenever a court declares a sale in error under this subsection (b), the court shall promptly notify the county collector in writing. Every such declaration pursuant to any provision of this subsection (b) shall be made within the proceeding in which the tax sale was authorized.

(c) When the county collector discovers, prior to the expiration of the period of redemption, that a tax sale should not have occurred for one or more of the reasons set forth in subdivision (a)(1), (a)(2), (a)(6), or (a)(7) of this Section, the county collector shall notify the last known owner of the certificate of purchase by certified and regular mail, or other means reasonably calculated to provide actual notice, that the county collector intends to declare an administrative sale in error and of the reasons therefor, including documentation sufficient to establish the reason why the sale should not have occurred. The owner of the certificate of purchase may object in writing within 28 days after the date of the mailing by the county collector. If an objection is filed, the county collector shall not administratively declare a sale in error, but may apply to the circuit court for a sale in error as provided in subsection (a) of this Section. Thirty days following the receipt of notice by the last known owner of the certificate of purchase, or within a reasonable time thereafter, the county collector shall make a written declaration, based upon clear and convincing evidence, that the taxes were sold in error and shall deliver a copy thereof to the county clerk within 30 days after the date the declaration is made for entry in the tax judgment, sale, redemption, and forfeiture record pursuant to subsection (d) of this Section. The county collector shall promptly notify the last known owner of the certificate of purchase of the declaration by regular mail and shall promptly pay the amount of the tax sale, together with interest and costs as provided in Section 21-315, upon surrender of the original certificate of purchase.

(d) If a sale is declared to be a sale in error, the county clerk shall make entry in the tax judgment, sale, redemption and forfeiture record, that the property was erroneously sold, and the county collector shall, on demand of the owner of the certificate of purchase, refund the amount paid, except for the nonrefundable $80 fee paid, pursuant to Section 21-295, for each item purchased at the tax sale, pay any interest and costs as may be ordered under Sections 21-315 through 21-335, and cancel the certificate so far as it relates to the property. The county collector shall deduct from the accounts of the appropriate taxing bodies their pro rata amounts paid. Alternatively, for sales in error declared under subsection (b)(2) or (b)(4), the county collector may request the circuit court to direct the county clerk to record any assignment of the tax certificate to or from the county collector without charging a fee for the assignment. The owner of the certificate of purchase shall receive all statutory refunds and payments. The county collector shall deduct costs and payments in the same manner as if a sale in error had occurred.

(Source: P.A. 100-890, eff. 1-1-19; 101-379, eff. 1-1-20; 101-659, eff. 3-23-21.)

(35 ILCS 200/21-330)

Sec. 21-330. Fund for payment of interest. In all counties of less than 3,000,000 inhabitants, the county board, by resolution, may impose a fee for payment of interest and costs. Each person purchasing any property at a sale under this Code shall pay to the county collector, prior to the issuance of any certificate of purchase, a fee of up to $60 for each item purchased. Each person purchasing any property at a sale held under this Code in a county with 3,000,000 or more inhabitants shall pay to the county collector, prior to the issuance of any certificate of purchase, a nonrefundable fee of $100 for each item purchased. That amount shall be included in the price paid for the certificate of purchase and the amount required to redeem under Section 21-355.

All sums of money received under this Section shall be paid by the collector to the county treasurer of the county in which the property is situated for deposit into a special fund. It shall be the duty of the county treasurer, as trustee of the fund, to invest the principal and income of the fund from time to time, if not immediately required for payments under this Section, in investments as are authorized by Sections 3-10009 and 3-11002 of the Counties Code. The fund shall be held to pay interest and costs by the county treasurer as trustee of the fund. No payment shall be made from the fund except by order of the court declaring a sale

in error under Section 21-310, 22-35, or 22-50 or by declaration of the county collector under subsection (c) of Section 21-310. Any moneys accumulated in the fund by the county treasurer in excess of (i) $100,000 in counties with 250,000 or less inhabitants or (ii) $500,000 in counties with more than 250,000 inhabitants shall be paid each year prior to the commencement of the annual tax sale, first to satisfy any existing unpaid judgments entered pursuant to Section 21-295, and any funds remaining thereafter shall be paid to the general fund of the county.

(Source: P.A. 100-1070, eff. 1-1-19.)

(35 ILCS 200/22-10)

Sec. 22-10. Notice of expiration of period of redemption. A purchaser or assignee shall not be entitled to a tax deed to the property sold unless, not less than 3 months nor more than 6 months prior to the expiration of the period of redemption, he or she gives notice of the sale and the date of expiration of the period of redemption to the owners, occupants, and parties interested in the property, including any mortgagee of record, as provided below. The purchaser or assignee shall deliver the notice of the expiration of the period of redemption to the sheriff of the county in which the property is located not less than 5 months prior to the expiration of the period of redemption. If service is made by the coroner or by a person who is licensed or registered as a private detective under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 under the circumstances described in Section 22-15 for service by those persons, then the notice of expiration of the period of redemption shall be delivered to the coroner or the private detective, as applicable, instead of to the sheriff. ~~the~~

The Notice to be given to the parties shall be in at least 10-point ~~10 point~~ type in the following form completely filled in:

TAX DEED NO. ..... FILED .....

TAKE NOTICE

County of .....

Date Premises Sold .....

Certificate No. .....

Sold for General Taxes of (year) .....

Sold for Special Assessment of (Municipality)

and special assessment number .....

Warrant No. ..... Inst. No. .....

THIS PROPERTY HAS BEEN SOLD FOR DELINQUENT TAXES

Property located at .....

Legal Description or Property Index No. .....

.....

.....

This notice is to advise you that the above property has been sold for delinquent taxes and that the period of redemption from the sale will expire on .....

.....

The amount to redeem is subject to increase at 6 month intervals from the date of sale and may be further increased if the purchaser at the tax sale or his or her assignee pays any subsequently accruing taxes or special assessments to redeem the property from subsequent forfeitures or tax sales. Check with the county clerk as to the exact amount you owe before redeeming.

This notice is also to advise you that a petition has been filed for a tax deed which will transfer title and the right to possession of this property if redemption is not made on or before .....

This matter is set for hearing in the Circuit Court of this county in ...., Illinois on .....

You may be present at this hearing but your right to redeem will already have expired at that time.

YOU ARE URGED TO REDEEM IMMEDIATELY

TO PREVENT LOSS OF PROPERTY

Redemption can be made at any time on or before .... by applying to the County Clerk of ...., County, Illinois at the Office of the County Clerk in ...., Illinois.

For further information contact the County Clerk

ADDRESS:.....

TELEPHONE:.....

.....

Purchaser or Assignee.
Dated (insert date).

In counties with 3,000,000 or more inhabitants, the notice shall also state the address, room number, and time at which the matter is set for hearing.

The changes to this Section made by Public Act 97-557 apply only to matters in which a petition for tax deed is filed on or after July 1, 2012 (the effective date of Public Act 97-557).

The changes to this Section made by Public Act 102-1003 ~~this amendatory Act of the 102nd General Assembly~~ apply to matters in which a petition for tax deed is filed on or after May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~. Failure of any party or any public official to comply with the changes made to this Section by Public Act 102-528 does not invalidate any tax deed issued prior to May 27, 2022 (the effective date of Public Act 102-1003) ~~this amendatory Act of the 102nd General Assembly~~.

(Source: P.A. 102-528, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1003, eff. 5-27-22; revised 9-1-22.)

(35 ILCS 200/22-35)

Sec. 22-35. Reimbursement of a county or municipality before issuance of tax deed. Except in any proceeding in which the tax purchaser is a county acting as a trustee for taxing districts as provided in Section 21-90, an order for the issuance of a tax deed under this Code shall not be entered affecting the title to or interest in any property in which a county, city, village or incorporated town has an interest under the police and welfare power by advancements made from public funds, until the purchaser or assignee makes reimbursement to the county, city, village or incorporated town of the money so advanced or the county, city, village, or town waives its lien on the property for the money so advanced. However, in lieu of reimbursement or waiver, the purchaser or his or her assignee may make application for and the court shall order that the tax purchase be set aside as a sale in error, except in cases where the tax purchaser holds a lien that shall remain on the property until paid with 5% interest per year as provided in Section 21-240. A sale in error may not be granted under this Section if the lien has been released, satisfied, discharged, or waived. A filing or appearance fee shall not be required of a county, city, village or incorporated town seeking to enforce its claim under this Section in a tax deed proceeding.

(Source: P.A. 101-379, eff. 1-1-20.)

(35 ILCS 200/22-50)

Sec. 22-50. Denial of deed. If the court refuses to enter an order directing the county clerk to execute and deliver the tax deed, because of the failure of the purchaser to fulfill any of the above provisions, and if the purchaser, or his or her assignee has made a bona fide attempt to comply with the statutory requirements for the issuance of the tax deed, then upon application of the owner of the certificate of purchase the court shall declare the sale to be a sale in error, unless the purchaser failed to comply with any of the above provisions for obtaining a tax deed because the purchaser made a reasonably avoidable error.

(Source: P.A. 92-224, eff. 1-1-02.)".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Pacione-Zayas, **Senate Bill No. 2039** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 2039**

AMENDMENT NO. 1 . Amend Senate Bill 2039 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section Section 2-3.163 as follows:

(105 ILCS 5/2-3.163)

Sec. 2-3.163. PUNS ~~Prioritization of Urgency of Need for Services~~ database information for students and parents or guardians.

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

(1) Pursuant to Section 10-26 of the Department of Human Services Act, the ~~The~~ Department of Human Services maintains a statewide database known as the PUNS ~~Prioritization of Urgency of~~

~~Need for Services~~ that records information about individuals with intellectual disabilities or developmental disabilities who are potentially in need of services.

(2) The Department of Human Services uses the data on PUNS ~~Prioritization of Urgency of Need for Services~~ to select individuals for services as funding becomes available, to develop proposals and materials for budgeting, and to plan for future needs.

(3) The PUNS database ~~Prioritization of Urgency of Need for Services~~ is available for ~~children and~~ adults with intellectual disabilities or ~~a~~ developmental disabilities ~~disability~~ who have ~~an~~ unmet service needs ~~need~~ anticipated in the next 5 years. The PUNS database is also available for children with intellectual disabilities or developmental disabilities with unmet service needs.

(4) Registration to be included on the PUNS database ~~Prioritization of Urgency of Need for Services~~ is the first step toward receiving ~~getting~~ developmental disabilities services in this State. A child or an adult who is ~~If individuals are~~ not on the PUNS database, will not be ~~Prioritization of Urgency of Need for Services waiting list, they are not~~ in queue for State developmental disabilities services.

(5) Lack of awareness and information about the PUNS database results in underutilization or delays in registration for the PUNS by students with intellectual disabilities or developmental disabilities and their parents or guardians ~~Prioritization of Urgency of Need for Services may be underutilized by children and their parents or guardians due to lack of awareness or lack of information~~.

(b) The State Board of Education shall ~~may~~ work in collaboration with the Department of Human Services and with school districts to ensure that ~~inform~~ all students with intellectual disabilities or developmental disabilities and their parents or guardians are informed about the PUNS ~~Prioritization of Urgency of Need for Services~~ database, as described in subsections (c), (d) and (e) of this Section.

As used in this Section "PUNS" means the Prioritization of Urgency of Need for Services database developed and maintained by the Department of Human Services.

(c) The ~~Subject to appropriation, the~~ Department of Human Services and State Board of Education shall develop and implement an online, computer-based training program for at least one designated employee in every public school in this State to educate the designated employee or employees ~~him or her~~ about the PUNS ~~Prioritization of Urgency of Need for Services~~ database and steps required to register students for the PUNS, including the documentation and information the parents or guardian will need for the registration process. ~~to be taken to ensure children and adolescents are enrolled~~. The training shall include instruction on identifying and contacting ~~for at least one designated employee in every public school in contacting~~ the appropriate developmental disabilities Independent Service Coordination agency ("ISC") to register students for the PUNS. ~~enroll children and adolescents in the database~~. The training of the designated employee or employees shall also include information about organizations and programs available in this State that offer assistance to families in understanding the PUNS and navigating the PUNS registration process. Each school district shall post on its public website and include in its student handbook the names of the designated trained employee or employees in each school within the school district. ~~At least one designated employee in every public school shall ensure the opportunity to enroll in the Prioritization of Urgency of Need for Services database is discussed during annual individualized education program (IEP) meetings for all children and adolescents believed to have a developmental disability.~~

(c-5) At least one of the designated trained employees in the public school shall ensure that each student's PUNS registration status is discussed during the student's annual individualized education program (IEP) review meeting if the student is believed to have an intellectual disability or a developmental disability. The annual review IEP conference report shall indicate whether the student is registered for the PUNS based upon information provided by the student, parent or guardian. If it is determined that the student may not be registered for the PUNS, one of the designated trained employees in the public school shall provide the student's parent or guardian the name, location and contact information of the appropriate ISC to contact in order to register the student for the PUNS and the documentation and information the parents or guardian will need to complete the registration process with the ISC. A trained designated employee of the public school shall also provide the parents or guardian with information about organizations or programs available in this State that offer assistance to families to understand and the PUNS database and navigate the PUNS registration process.

(d) The State Board of Education, in consultation with the Department of Human Services, through school districts, shall provide to parents and guardians of each student with an IEP ~~students~~ a copy of the latest version of the Department of Human Services's guide titled "Understanding PUNS: A Guide to

Prioritization for Urgency of Need for Services" each year at the annual review meeting for the student's individualized education program~~, including the consideration required in subsection (e) of this Section~~.

(e) (Blank). ~~The Department of Human Services shall consider the length of time spent on the Prioritization of Urgency of Need for Services waiting list, in addition to other factors considered, when selecting individuals on the list for services.~~

(Source: P.A. 102-57, eff. 7-9-21.)".

Committee Amendment No. 2 was held in the Committee on Assignments.

Floor Amendment No. 3 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Rezin, **Senate Bill No. 2045** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2100** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Senate Special Committee on Pensions, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 2100**

AMENDMENT NO. 1 . Amend Senate Bill 2100 on page 2, line 6, by replacing "receives" with "is provided with".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2101** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2102** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2103** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2104** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Senate Special Committee on Pensions.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 2152** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Executive.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

**AMENDMENT NO. 2 TO SENATE BILL 2152**

AMENDMENT NO. 2 . Amend Senate Bill 2152 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 22A-106 and by adding Sections 15-177.5, 15-177.6, 16-188, 16-189, 22A-113.4, and 22A-113.5 as follows:

(40 ILCS 5/15-177.5 new)

Sec. 15-177.5. Proxy voting.

(a) In this Section, "fiduciary" has the meaning given to that term in Section 1-101.2.

(b) Notwithstanding the Board's investment authority, the State Treasurer, upon the request of the Board, shall manage the domestic and international proxy voting activity for shares held directly by the

System and execute required ballots on behalf of the System. The State Treasurer shall provide the Board with comprehensive proxy voting reports on a quarterly basis and as requested by the Board.

(c) The State Treasurer shall act as a fiduciary to the System with regard to all aspects of the State Treasurer's management of the proxy voting activity as provided under subsection (b).

(d) With respect to this Section, and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board is exempt from any conflicting statutory or common law obligations, including any fiduciary or co-fiduciary duties under this Article and Article 1.

(e) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board, its staff, and the trustees of the Board shall not be liable for any damage or suits where damages are sought for negligent or wrongful acts alleged to have been committed in connection with the management of proxy voting activity as provided for under this Section.

(f) All costs associated with the State Treasurer's management of proxy voting activity under subsection (b) shall be borne exclusively by the State Treasurer, including, but not limited to, any payments to a third-party service provider to provide proxy voting services.

(g) This Section is repealed on January 1, 2027.

(40 ILCS 5/15-177.6 new)

Sec. 15-177.6. Fiduciary report. On or before January 1, 2025, and annually thereafter, the Board shall publish its guidelines for voting proxy ballots and a detailed report on its website describing how the Board is considering sustainability factors as defined in the Illinois Sustainable Investing Act. The report shall:

(1) describe the Board's strategy as it relates to the consideration of sustainable investment factors;

(2) outline the process for regular assessment across the total portfolio of potential effects from systemic and regulatory risks and opportunities, including, but not limited to, environmental factors on the assets of the plan;

(3) disclose how each investment manager serving as a fiduciary to the Board integrates sustainability factors into the investment manager's investment decision-making process;

(4) provide a comprehensive proxy voting report;

(5) provide an overview of all corporate engagement and stewardship activities; and

(6) include any other information the Board deems necessary.

(40 ILCS 5/16-188 new)

Sec. 16-188. Proxy voting.

(a) In this Section, "fiduciary" has the meaning given to that term in Section 1-101.2.

(b) Notwithstanding the Board's investment authority, the State Treasurer, upon the request of the Board, shall manage the domestic and international proxy voting activity for shares held directly by the System and execute required ballots on behalf of the System. The State Treasurer shall provide the Board with comprehensive proxy voting reports on a quarterly basis and as requested by the Board.

(c) The State Treasurer shall act as a fiduciary to the System with regard to all aspects of the State Treasurer's management of the proxy voting activity as provided under subsection (b).

(d) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board is exempt from any conflicting statutory or common law obligations, including any fiduciary or co-fiduciary duties under this Article and Article 1.

(e) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board, its staff, and the trustees of the Board shall not be liable for any damage or suits where damages are sought for negligent or wrongful acts alleged to have been committed in connection with the management of proxy voting activity as provided for under this Section.

(f) All costs associated with the State Treasurer's management of proxy voting activity under subsection (b) shall be borne exclusively by the State Treasurer, including, but not limited to, any payments to a third-party service provider to provide proxy voting services.

(g) This Section is repealed on January 1, 2027.

(40 ILCS 5/16-189 new)

Sec. 16-189. Fiduciary report. On or before January 1, 2025, and annually thereafter, the Board shall publish its guidelines for voting proxy ballots and a detailed report on its website describing how the Board is considering sustainability factors as defined in the Illinois Sustainable Investing Act. The report shall:

(1) describe the Board's strategy as it relates to the consideration of sustainable investment factors;

(2) outline the process for regular assessment across the total portfolio of potential effects from systemic and regulatory risks and opportunities, including, but not limited to, environmental factors on the assets of the plan;

(3) disclose how each investment manager serving as a fiduciary to the Board integrates sustainability factors into the investment manager's investment decision-making process;

(4) provide a comprehensive proxy voting report;

(5) provide an overview of all corporate engagement and stewardship activities; and

(6) include any other information the Board deems necessary.

(40 ILCS 5/22A-106) (from Ch. 108 1/2, par. 22A-106)

Sec. 22A-106. "Manage": To invest, reinvest, exchange and to perform all investment functions with regard to reserves, funds, assets, securities and moneys which the board is authorized to invest, and to preserve and protect such reserves, funds, assets, securities and moneys, including, but not limited to, authority to vote any stocks, bonds or other securities and to give general or special proxies or powers of attorney with or without power of substitution, except that the authority to vote proxies is subject to Section 22A-113.4. This term shall not include any functions, duties and responsibilities incident to the operation and administration of pension funds or education fund other than that of investments.

(Source: P.A. 84-1127.)

(40 ILCS 5/22A-113.4 new)

Sec. 22A-113.4. Proxy voting.

(a) In this Section, "fiduciary" has the meaning given to that term in Section 1-101.2.

(b) Notwithstanding the Board's investment authority, the State Treasurer, upon the request of the Board, shall manage the domestic and international proxy voting activity for shares held directly by the Board and execute required ballots on behalf of the Board. The State Treasurer shall provide the Board with comprehensive proxy voting reports on a quarterly basis and as requested.

(c) The State Treasurer shall act as a fiduciary to the Illinois State Board of Investment with regard to all aspects of the State Treasurer's management of the proxy voting activity as provided under subsection (b).

(d) With respect to this Section, and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board is exempt from any conflicting statutory or common law obligations, including any fiduciary or co-fiduciary duties under this Article and Article 1.

(e) With respect to this Section and with respect to the State Treasurer's management of the proxy voting activity as provided for under subsection (b), the Board, its staff, and the trustees of the Board shall not be liable for any damage or suits where damages are sought for negligent or wrongful acts alleged to have been committed in connection with the management of proxy voting activity as provided for under this Section.

(f) All costs associated with the State Treasurer's management of proxy voting activity under subsection (b) shall be borne exclusively by the State Treasurer, including, but not limited to, any payments to a third-party service provider to provide proxy voting services.

(g) This Section is repealed on January 1, 2027.

(40 ILCS 5/22A-113.5 new)

Sec. 22A-113.5. Fiduciary report. On or before January 1, 2025, and annually thereafter, the Board shall publish its guidelines for voting proxy ballots and a detailed report on its website describing how the Board is considering sustainability factors as defined in the Illinois Sustainable Investing Act. The report shall:

(1) describe the Board's strategy as it relates to the consideration of sustainable investment factors;

(2) outline the process for regular assessment across the total portfolio of potential effects from systemic and regulatory risks and opportunities, including, but not limited to, environmental factors on the assets of the plan;

(3) disclose how each investment manager serving as a fiduciary to the Board integrates sustainability factors into the investment manager's investment decision-making process;

(4) provide a comprehensive proxy voting report;

(5) provide an overview of all corporate engagement and stewardship activities; and

(6) include any other information the Board deems necessary.

Section 99. Effective date. This Act takes effect January 1, 2024.".

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 2223** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 2224** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2255** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **Senate Bill No. 2271** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was postponed in the Committee on Public Health.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Simmons, **Senate Bill No. 2278** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Loughran Cappel, **Senate Bill No. 2326** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Executive, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 2326**

AMENDMENT NO. 1 . Amend Senate Bill 2326 on page 10, immediately below line 7, by inserting the following:

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

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 2395** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2434** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 1960** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Transportation, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1960**

AMENDMENT NO. 1 . Amend Senate Bill 1960 on page 3, by replacing lines 15 through 22 with the following:

"(a) A person may operate a low-speed electric scooter where the operation of bicycles is permitted, including, but not limited to, bicycle lanes and bicycle paths, unless the municipality, county, or local authority with jurisdiction prohibits the use of low-speed electric scooters or a specific class of low-speed electric scooters on that path, and shall have all of the rights and shall be subject to all of the duties applicable to the rider of a bicycle under this Code, except as otherwise provided in this Section, and except for provisions that by their nature can have no application, including subsection (a) of Section 11-1503.".

Floor Amendment No. 2 was held in the Committee on Assignments.

Floor Amendment No. 3 was referred to the Committee on Assignments earlier today.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

## READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Rezin, **Senate Bill No. 1460** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 53; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Loughran Cappel | Stoller |
| Aquino | Gillespie | Martwick | Syverson |
| Belt | Glowiak Hilton | McClure | Tracy |
| Bennett | Halpin | Morrison | Turner, D. |
| Bryant | Harris, N. | Murphy | Turner, S. |
| Castro | Harriss, E. | Pacione-Zayas | Ventura |
| Cervantes | Hastings | Peters | Villa |
| Chesney | Holmes | Plummer | Villanueva |
| Cunningham | Hunter | Porfirio | Villivalam |
| Curran | Johnson | Rezin | Wilcox |
| DeWitte | Joyce | Rose | Mr. President |
| Edly-Allen | Koehler | Simmons | |
| Faraci | Lewis | Sims | |
| Fine | Lightford | Stadelman | |

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Villivalam, **Senate Bill No. 1699** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Loughran Cappel | Stadelman |
| Aquino | Gillespie | Martwick | Stoller |
| Belt | Glowiak Hilton | McClure | Syverson |
| Bennett | Halpin | McConchie | Tracy |
| Castro | Harris, N. | Morrison | Turner, D. |

| | | | |
|---|---|---|---|
| Cervantes | Harriss, E. | Murphy | Turner, S. |
| Chesney | Hastings | Pacione-Zayas | Ventura |
| Cunningham | Holmes | Peters | Villa |
| Curran | Hunter | Plummer | Villanueva |
| DeWitte | Johnson | Porfirio | Villivalam |
| Edly-Allen | Joyce | Rezin | Wilcox |
| Ellman | Koehler | Rose | Mr. President |
| Faraci | Lewis | Simmons | |
| Fine | Lightford | Sims | |

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Morrison, **Senate Bill No. 1987** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fowler | Loughran Cappel | Stadelman |
| Aquino | Gillespie | Martwick | Stoller |
| Belt | Glowiak Hilton | McClure | Syverson |
| Bennett | Halpin | McConchie | Tracy |
| Castro | Harris, N. | Morrison | Turner, D. |
| Cervantes | Harriss, E. | Murphy | Turner, S. |
| Chesney | Hastings | Pacione-Zayas | Ventura |
| Cunningham | Holmes | Peters | Villa |
| Curran | Hunter | Plummer | Villanueva |
| DeWitte | Johnson | Porfirio | Villivalam |
| Edly-Allen | Joyce | Rezin | Wilcox |
| Ellman | Koehler | Rose | Mr. President |
| Faraci | Lewis | Simmons | |
| Fine | Lightford | Sims | |

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Bryant asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 1987**.

On motion of Senator Holmes, **Senate Bill No. 2227** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Anderson | Fine | Lightford | Sims |
| Aquino | Fowler | Loughran Cappel | Stadelman |
| Belt | Gillespie | Martwick | Stoller |

| | | | |
|---|---|---|---|
| Bennett | Glowiak Hilton | McClure | Syverson |
| Bryant | Halpin | McConchie | Tracy |
| Castro | Harris, N. | Morrison | Turner, D. |
| Cervantes | Harriss, E. | Murphy | Turner, S. |
| Chesney | Hastings | Pacione-Zayas | Ventura |
| Cunningham | Holmes | Peters | Villa |
| Curran | Hunter | Plummer | Villanueva |
| DeWitte | Johnson | Porfirio | Villivalam |
| Edly-Allen | Joyce | Rezin | Wilcox |
| Ellman | Koehler | Rose | Mr. President |
| Faraci | Lewis | Simmons | |

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

On motion of Senator Peters, **Senate Bill No. 2260** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 41; NAYS 2.

The following voted in the affirmative:

| | | | |
|---|---|---|---|
| Aquino | Gillespie | Martwick | Stoller |
| Belt | Glowiak Hilton | McClure | Tracy |
| Castro | Halpin | Morrison | Turner, D. |
| Cervantes | Harris, N. | Murphy | Ventura |
| Cunningham | Hastings | Pacione-Zayas | Villa |
| Curran | Hunter | Peters | Villanueva |
| Edly-Allen | Johnson | Porfirio | Villivalam |
| Ellman | Joyce | Rezin | Mr. President |
| Faraci | Koehler | Simmons | |
| Fine | Lightford | Sims | |
| Fowler | Loughran Cappel | Stadelman | |

The following voted in the negative:

Plummer
Wilcox

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

## READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Fine, **Senate Bill No. 67** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 332** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1235** having been printed, was taken up, read by title a second time.

Floor Amendment Nos. 1 and 2 were held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Simmons, **Senate Bill No. 1282** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 1288** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Insurance.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 1403** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Joyce, **Senate Bill No. 1421** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

Senator Joyce offered the following amendment and moved its adoption:

**AMENDMENT NO. 2 TO SENATE BILL 1421**

AMENDMENT NO. 2 . Amend Senate Bill 1421 by replacing everything after the enacting clause with the following:

"Section 5. The State Fire Marshal Act is amended by adding Section 5 as follows:

(20 ILCS 2905/5 new)

Sec. 5. Certified youth firesetter interventionists. The Division of Arson Investigation within the Office of the State Fire Marshal shall employ certified youth firesetter interventionists who conduct youth firesetter interventions when local authorities cannot do so on their own or when multiple local authorities in separate jurisdictions are involved. The Division shall assist youth firesetter interventionists throughout the State who have limited capabilities or particularly challenging cases. The Division shall conduct training to certify youth firesetter interventionists throughout the State.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Ellman, **Senate Bill No. 1510** having been printed, was taken up, read by title a second time.

Senator Ellman offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 1510**

AMENDMENT NO. 1 . Amend Senate Bill 1510 by replacing everything after the enacting clause with the following:

"Section 5. The Park District Code is amended by adding Section 8-13a as follows:

(70 ILCS 1205/8-13a new)

Sec. 8-13a. Agreements related to solar energy. In addition to any other power or authority granted under this Code, a park district may enter into a lease, contract, or other agreement related to the acquisition of solar energy, including the installation, maintenance, and service of solar panels, equipment, or similar technology related to solar energy, for a period not to exceed 2.5 times the term of years provided for in Section 8-13 when authorized by the affirmative vote of two-thirds of the governing board of the park district.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Ellman, **Senate Bill No. 1527** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Insurance, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1527**

AMENDMENT NO. 1 . Amend Senate Bill 1527 on page 8, line 21, after "sleeves", by inserting "that is medically necessary for the enrollee to prevent or mitigate lymphedema".

Floor Amendment No. 2 was held in the Committee on Insurance.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1646** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Senate Special Committee on Pensions, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 1646**

AMENDMENT NO. 1 . Amend Senate Bill 1646 as follows:

on page 2, line 21, before the period, by inserting ", except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii)"; and

on page 6, line 22, before the period, by inserting ", except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii)"; and

on page 9, line 11, before the period, by inserting ", except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a Plan participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii)"; and

on page 13, line 19, before the period, by inserting ", except that links to parts of the recordkeeper's website that are generally available to the public, are about commercial products, and may be encountered by a participant in the regular course of navigating the recordkeeper's website will not constitute a violation of this item (ii)".

Floor Amendment No. 2 was held in the Committee on Assignments.

Floor Amendment No. 3 was referred to the Committee on Assignments earlier today.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 1679** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Simmons, **Senate Bill No. 1710** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Assignments.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Koehler, **Senate Bill No. 1711** having been printed, was taken up, read by title a second time and ordered to a third reading.

At the hour of 1:32 o'clock p.m., Senator Koehler, presiding.

**MOTION**

Senator Cunningham moved that the following bills be removed from the Order of Senate Bills Third Reading - Agreed Bill List and returned the Order of Senate Bills Third Reading: **Senate Bill Nos. 130, 1393, 1443, 1553, 1703, 1735, 1844, 1866, 2212 and 2242.**

The motion prevailed.

**ANNOUNCEMENT**

The Chair announced that the Order of Senate Bills Third Reading - Agreed Bill List will be voted upon Wednesday, March 29, 2023 and the last chance to file Vote Intention Slips with the Secretary of the Senate's Office is today, March 28, 2023 at 5:00 o'clock p.m.

**POSTING NOTICE WAIVED**

Senator Johnson moved to waive the six-day posting requirement on **Senate Bill No. 167** so that the measure may be heard in the Committee on Education that is scheduled to meet March 28, 2023.

The motion prevailed.

At the hour of 1:37 o'clock p.m., Senator Hunter, presiding.

**READING BILLS OF THE SENATE A SECOND TIME**

On motion of Senator Lightford, **Senate Bill No. 1352** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 1569** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 1872** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 2031** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 2031**

AMENDMENT NO. 1 . Amend Senate Bill 2031 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-17a as follows:

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards; Expanded School Snapshot Report.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021 to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners, the number of students who graduate from a bilingual or English learner program, and the number of students who graduate from, transfer from, or otherwise leave bilingual programs; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the number and percentage of all students who have been assessed for placement in a gifted education or advanced academic program and, of those students: (i) the racial and ethnic breakdown, (ii) the percentage who are classified as low-income, and (iii) the number and percentage of students who received direct instruction from a teacher who holds a gifted education endorsement and, of those students, the percentage who are classified as low-income; the percentage of students scoring at the "exceeds expectations" level on the assessments required under Section 2-3.64a-5 of this Code; the percentage of students who annually transferred in or out of the school district; average daily attendance; the per-pupil operating expenditure of the school district; and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, computer science courses, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students who participated in workplace learning experiences, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, and the percentage of graduates enrolled in community colleges,

colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code;

(G) the total and per pupil normal cost amount the State contributed to the Teachers' Retirement System of the State of Illinois in the prior fiscal year for the school's employees, which shall be reported to the State Board of Education by the Teachers' Retirement System of the State of Illinois;

(H) for a school district organized under Article 34 of this Code only, State contributions to the Public School Teachers' Pension and Retirement Fund of Chicago and State contributions for health care for employees of that school district;

(I) a school district's Final Percent of Adequacy, as defined in paragraph (4) of subsection (f) of Section 18-8.15 of this Code;

(J) a school district's Local Capacity Target, as defined in paragraph (2) of subsection (c) of Section 18-8.15 of this Code, displayed as a percentage amount;

(K) a school district's Real Receipts, as defined in paragraph (1) of subsection (d) of Section 18-8.15 of this Code, divided by a school district's Adequacy Target, as defined in paragraph (1) of subsection (b) of Section 18-8.15 of this Code, displayed as a percentage amount;

(L) a school district's administrative costs;

(M) whether or not the school has participated in the Illinois Youth Survey. In this paragraph (M), "Illinois Youth Survey" means a self-report survey, administered in school settings every 2 years, designed to gather information about health and social indicators, including substance abuse patterns and the attitudes of students in grades 8, 10, and 12; and

(N) whether the school offered its students career and technical education opportunities.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

As used in this subsection (2):

"Administrative costs" means costs associated with executive, administrative, or managerial functions within the school district that involve planning, organizing, managing, or directing the school district.

"Advanced academic program" means a course of study to which students are assigned based on advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

"Computer science" means the study of computers and algorithms, including their principles, their hardware and software designs, their implementation, and their impact on society. "Computer science" does not include the study of everyday uses of computers and computer applications, such as keyboarding or accessing the Internet.

"Gifted education" means educational services, including differentiated curricula and instructional methods, designed to meet the needs of gifted children as defined in Article 14A of this Code.

For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) and paragraph (N) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.

(6) Nothing contained in Public Act 98-648 repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on July 1, 2014 (the effective date of Public Act 98-648) in Illinois courts involving the interpretation of Public Act 97-8.

(7) As used in this subsection (7):

"Advanced-track coursework or programs" means any courses, sequence of courses, or class or grouping of students organized to provide more rigorous, enriched, advanced, accelerated, gifted, or above grade-level instruction. This may include, but is not limited to, Advanced Placement courses, International Baccalaureate courses, Project Arrow courses, honors, weighted, advanced, or enriched courses, or, gifted or accelerated programs, classrooms, or courses.

"Course" means any class or course offered by a school that is assigned a school course code by the State Board of Education.

"English learner coursework or English learner programs" means English learner courses or programs designated to serve English learners, which may be designated as English language learners or limited English proficiency learners.

"Standard coursework or programs" means any courses or classes other than advanced-track coursework or programs, English learner coursework or programs, or special education coursework or programs.

By October 31, 2024 and October 31 of each subsequent year, the State Board of Education, through the State Superintendent of Education, shall prepare a stand-alone report covering school districts and schools, to be referred to as the Expanded School Snapshot Report. The State Board shall post the Report on the State Board's Internet website. The homepage on each school district's and school's Internet website or on the same webpage on the website that provides a link to the report cards under subsection (5) shall include a hyperlink to the Report on the State Board's Internet website, titled, "Expanded School Snapshot Report". Hyperlinks under this subsection (7) shall be displayed in a manner that is easily accessible to the public.

The Expanded School Snapshot Report shall include:

(A) a listing of all standard coursework or programs offered by a school;

(B) a listing of all advanced-track coursework or programs offered by a school;

(C) a listing of all English learner coursework or programs offered by a school;

(D) a listing of all special education coursework or programs offered by a school;

(E) data tables and graphs comparing advanced-track coursework or programs with standard coursework or programs according to the following parameters:

(i) the average years of experience of all teachers in a school assigned to teach advanced-track coursework or programs compared with the average years of experience of all teachers in the school assigned to teach standard coursework or programs;

(ii) the average years of experience of all teachers in a school assigned to teach special education coursework or programs compared with the average years of experience of all teachers in the school assigned to teach standard coursework or programs;

(iii) the average years of experience of all teachers in a school assigned to teach English learner coursework or programs compared with the average years of experience of all teachers in the school assigned to teach standard coursework or programs;

(iv) the number of teachers possessing bachelor's, master's, or doctorate degrees who are assigned to teach advanced-track courses or programs compared with the number of teachers possessing bachelor's, master's, or doctorate degrees who are assigned to teach standard coursework or programs;

(v) the number of teachers possessing bachelor's, master's, or doctorate degrees who are assigned to teach special education coursework or programs compared with the number of teachers possessing bachelor's, master's, or doctorate degrees who are assigned to teach standard coursework or programs;

(vi) the number of teachers possessing bachelor's, master's, or doctorate degrees who are assigned to teach English learner coursework or programs compared with the number of teachers possessing bachelor's, master's, or doctorate degrees who are assigned to teach standard coursework or programs;

(vii) the average student enrollment and class size of advanced-track coursework or programs offered in a school compared with the average student enrollment and class size of standard coursework or programs;

(viii) the percentages of students delineated by gender who are enrolled in advanced-track coursework or programs in a school compared with the gender of students enrolled in standard coursework or programs;

(ix) the percentages of students delineated by gender who are enrolled in special education coursework or programs in a school compared with the percentages of students enrolled in standard coursework or programs;

(x) the percentages of students delineated by gender who are enrolled in English learner coursework or programs in a school compared with the gender of students enrolled in standard coursework or programs;

(xi) the percentages of students in each individual race and ethnicity category, as defined in the most recent federal decennial census, who are enrolled in advanced-track coursework or programs compared with the percentages of students in each individual race and ethnicity category enrolled in standard coursework or programs;

(xii) the percentages of students in each of the race and ethnicity categories, as defined in the most recent federal decennial census, who are enrolled in special education coursework or programs compared with the percentages of students in each of the race and ethnicity categories who are enrolled in standard coursework or programs;

(xiii) the percentages of students in each of the race and ethnicity categories, as defined in the most recent federal decennial census, who are enrolled in English learner coursework or programs in a school compared with the percentages of students in each of the race and ethnicity categories who are enrolled in standard coursework or programs;

(xiv) the percentage of students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in advanced-track coursework or programs compared with the percentage of students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs;

(xv) the percentage of students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in special education coursework or programs compared with the percentage of students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs; and

(xvi) the percentage of students who reach proficiency (the equivalent of a C grade or higher on a grade A through F scale) in English learner coursework or programs compared with the percentage of students who earn proficiency (the equivalent of a C grade or higher on a grade A through F scale) in standard coursework or programs; and

(F) for each race and ethnicity category, as defined in the most recent federal decennial census, and gender category, as defined in the most recent federal decennial census:

(i) the total number of Advanced Placement courses taken by race and ethnicity category and gender category, as defined in the most recent federal decennial census;

(ii) the total number of International Baccalaureate courses taken by race and ethnicity category and gender category, as defined in the most recent federal decennial census;

(iii) for each race and ethnicity category and gender category, as defined in the most recent federal decennial census, the percentage of students enrolled in Advanced Placement courses;

(iv) for each race and ethnicity category and gender category, as defined in the most recent federal decennial census, the percentage of students enrolled in International Baccalaureate courses; and

(v) for each race and ethnicity category, as defined in the most recent federal decennial census, the total number and percentage of students who earn a score of 3 or higher on the Advanced Placement exam associated with an Advanced Placement course.

The data comparison measures and indicators under this subsection (7) for the Expanded School Snapshot Report shall be aggregated at the school level and the district level and be presented in the Report as a data table and a graph at the school level and district level.

For data on teacher experience and education under this subsection (7), a teacher who teaches a combination of courses designated as advanced-track coursework or programs, English learner coursework or programs, or standard coursework or programs shall be included in all relevant categories and the teacher's level of experience shall be added to the categories.

(Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19; 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff. 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594, eff. 7-1-22; 102-813, eff. 5-13-22.)".

Floor Amendment No. 2 was held in the Committee on Assignments.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

**LEGISLATIVE MEASURES FILED**

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 850

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 2 to Senate Bill 218

At the hour of 1:40 o'clock p.m., the Chair announced that the Senate stands at ease.

**AT EASE**

At the hour of 1:51 o'clock p.m., the Senate resumed consideration of business.

Senator Hunter, presiding.

**REPORT FROM COMMITTEE ON ASSIGNMENTS**

Senator Lightford, Chair of the Committee on Assignments, during its March 28, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Floor Amendment No. 1 to Senate Bill 203; Floor Amendment No. 2 to Senate Bill 1745**.

Appropriations: **Floor Amendment No. 1 to Senate Bill 935; Floor Amendment No. 1 to Senate Bill 1150; Floor Amendment No. 1 to Senate Bill 1170; Floor Amendment No. 1 to Senate Bill 1210**.

Appropriations - Education: **Floor Amendment No. 2 to Senate Bill 991**.

Education: **Senate Bills Numbered 1473 and 2148; Committee Amendment No. 1 to Senate Bill 90; Committee Amendment No. 1 to Senate Bill 167; Floor Amendment No. 2 to Senate Bill 183; Floor Amendment No. 2 to Senate Bill 993; Floor Amendment No. 1 to Senate Bill 994; Floor Amendment No. 1 to Senate Bill 1352; Floor Amendment No. 1 to Senate Bill 1470; Floor Amendment No. 3 to Senate Bill 1488; Floor Amendment No. 1 to Senate Bill 1685; Floor Amendment No. 1 to Senate Bill 1872; Floor Amendment No. 1 to Senate Bill 1994; Floor Amendment No. 2 to Senate Bill 1994; Floor Amendment No. 1 to Senate Bill 1996; Floor Amendment No. 2 to Senate Bill 2031; Floor Amendment No. 3 to Senate Bill 2039; Floor Amendment No. 1 to Senate Bill 2223; Committee Amendment No. 1 to Senate Bill 2337; Floor Amendment No. 2 to Senate Bill 2348; Floor Amendment No. 2 to Senate Bill 2354**.

Energy and Public Utilities: **Floor Amendment No. 1 to Senate Bill 1127; Floor Amendment No. 1 to Senate Bill 1438; Floor Amendment No. 2 to Senate Bill 1474**.

Environment and Conservation: **Floor Amendment No. 3 to Senate Bill 1769; Floor Amendment No. 2 to Senate Bill 1804; Floor Amendment No. 1 to Senate Bill 2212; Floor Amendment No. 2 to Senate Bill 2226**.

Executive: **House Bill No. 559; Floor Amendment No. 1 to Senate Bill 63; Floor Amendment No. 1 to Senate Bill 64; Floor Amendment No. 3 to Senate Bill 214; Committee Amendment No. 1 to Senate Bill 282; Floor Amendment No. 1 to Senate Bill 688; Floor Amendment No. 1 to Senate Bill 761; Floor Amendment No. 1 to Senate Bill 850; Committee Amendment No. 2 to Senate Bill 1391; Floor Amendment No. 2 to Senate Bill 1886; Committee Amendment No. 1 to Senate Bill 1909; Committee Amendment No. 1 to Senate Bill 2164; Floor Amendment No. 1 to Senate Bill 2213; Committee Amendment No. 1 to Senate Bill 2246; Floor Amendment No. 1 to Senate Bill 2322; Floor Amendment No. 3 to Senate Bill 2368; Floor Amendment No. 4 to Senate Bill 2368**.

Financial Institutions: **Floor Amendment No. 1 to Senate Bill 2121; Floor Amendment No. 1 to Senate Bill 2135; Floor Amendment No. 1 to Senate Bill 2229**.

Health and Human Services: **Floor Amendment No. 1 to Senate Bill 67; Floor Amendment No. 1 to Senate Bill 375; Floor Amendment No. 1 to Senate Bill 505; Floor Amendment No. 1 to Senate Bill 646; Floor Amendment No. 1 to Senate Bill 855; Floor Amendment No. 2 to Senate Bill 1085; Floor Amendment No. 2 to Senate Bill 1508; Floor Amendment No. 1 to Senate Bill 1721; Floor Amendment No. 1 to Senate Bill 1794**.

Higher Education: **Floor Amendment No. 1 to Senate Bill 2240**.

Human Rights: **Floor Amendment No. 3 to Senate Bill 1446**.

Insurance: **Floor Amendment No. 2 to Senate Bill 757; Floor Amendment No. 1 to Senate Bill 762; Floor Amendment No. 1 to Senate Bill 1282; Floor Amendment No. 2 to Senate Bill 1495; Committee Amendment No. 1 to Senate Bill 1912; Floor Amendment No. 1 to Senate Bill 2417**.

Judiciary: **Floor Amendment No. 3 to Senate Bill 40; Floor Amendment No. 1 to Senate Bill 247; Floor Amendment No. 2 to Senate Bill 247; Floor Amendment No. 1 to Senate Bill 328; Floor Amendment No. 1 to Senate Bill 381; Floor Amendment No. 1 to Senate Bill 664; Floor Amendment No. 1 to Senate Bill 800; Floor Amendment No. 1 to Senate Bill 1066; Floor Amendment No. 1 to Senate Bill 1067; Floor Amendment No. 2 to Senate Bill 1714; Floor Amendment No. 1 to Senate Bill 1741; Floor Amendment No. 2 to Senate Bill 1817; Floor Amendment No. 2 to Senate Bill 1977; Floor Amendment No. 1 to Senate Bill 1979**.

Labor: **Floor Amendment No. 3 to Senate Bill 1515; Floor Amendment No. 1 to Senate Bill 1782**.

Licensed Activities: **Floor Amendment No. 1 to Senate Bill 199; Committee Amendment No. 1 to Senate Bill 218; Floor Amendment No. 1 to Senate Bill 303; Floor Amendment No. 1 to Senate Bill 1250; Floor Amendment No. 2 to Senate Bill 1713; Floor Amendment No. 1 to Senate Bill 1716; Floor Amendment No. 2 to Senate Bill 1717; Floor Amendment No. 2 to Senate Bill 1866; Floor Amendment No. 3 to Senate Bill 1866; Floor Amendment No. 1 to Senate Bill 1889; Floor Amendment No. 3 to Senate Bill 2057**.

Local Government: **Floor Amendment No. 2 to Senate Bill 94; Floor Amendment No. 1 to Senate Bill 685; Floor Amendment No. 1 to Senate Bill 1098; Floor Amendment No. 1 to Senate Bill 1430**.

Public Health: **Floor Amendment No. 1 to Senate Bill 1803; Floor Amendment No. 1 to Senate Bill 2044**.

Revenue: **Floor Amendment No. 1 to Senate Bill 805; Floor Amendment No. 1 to Senate Bill 806; Floor Amendment No. 1 to Senate Bill 1147; Floor Amendment No. 2 to Senate Bill 1147; Floor Amendment No. 2 to Senate Bill 2277; Floor Amendment No. 1 to Senate Bill 2395**.

State Government: **Committee Amendment No. 1 to Senate Bill 147; Floor Amendment No. 2 to Senate Bill 686; Floor Amendment No. 1 to Senate Bill 836; Committee Amendment No. 1 to Senate Bill 2049; Floor Amendment No. 2 to Senate Bill 2146**.

Transportation: **Floor Amendment No. 2 to Senate Bill 273; Floor Amendment No. 1 to Senate Bill 684; Floor Amendment No. 1 to Senate Bill 849; Floor Amendment No. 1 to Senate Bill 896; Floor Amendment No. 1 to Senate Bill 1212; Floor Amendment No. 2 to Senate Bill 1251; Floor Amendment No. 1 to Senate Bill 1653; Floor Amendment No. 1 to Senate Bill 1710; Committee Amendment No. 1 to Senate Bill 1864; Floor Amendment No. 1 to Senate Bill 1892; Floor Amendment No. 2 to Senate Bill 1960; Floor Amendment No. 3 to Senate Bill 1960; Floor Amendment No. 1 to Senate Bill 2278**.

Senate Special Committee on Criminal Law and Public Safety: **Senate Bills Numbered 1597 and 1974; Floor Amendment No. 3 to Senate Bill 125; Floor Amendment No. 1 to Senate Bill 333; Floor Amendment No. 2 to Senate Bill 1499; Floor Amendment No. 1 to Senate Bill 2285**.

Senate Special Committee on Pensions: **Senate Bill No. 1645; Floor Amendment No. 1 to Senate Bill 734; Floor Amendment No. 1 to Senate Bill 1115; Floor Amendment No. 1 to Senate Bill 1235; Floor Amendment No. 2 to Senate Bill 1235; Floor Amendment No. 2 to Senate Bill 1646; Floor Amendment No. 3 to Senate Bill 1646**.

Pursuant to Senate Rule 3-8 (b-1), the following amendments will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 1116, Floor Amendment No. 1 to Senate Bill 1128,**

**Floor Amendment No. 1 to Senate Bill 1149, Floor Amendment No. 1 to Senate Bill 1160, Floor Amendment No. 1 to Senate Bill 1211 and Committee Amendment No. 1 to Senate Bill 2038**.

**COMMITTEE MEETING ANNOUNCEMENTS**

The Chair announced the following committees to meet at 3:00 o'clock p.m.:

Education in Room 212
Public Health in Room 400
Judiciary in Room 409

The Chair announced the following committees to meet at 4:30 o'clock p.m.:

Transportation in Room 212
Health and Human Services in Room 400

The Chair announced the following committees to meet at 5:30 o'clock p.m.:

Higher Education in Room 212
Insurance in Room 400
Financial Institutions in Room 409

Senator Aquino asked and obtained unanimous consent for a Democrat caucus to meet immediately upon adjournment.

At the hour of 1:59 o'clock p.m., the Chair announced that the Senate stands adjourned until Wednesday, March 29, 2023, at 11:00 o'clock a.m.