



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED THIRD GENERAL
ASSEMBLY**

43RD LEGISLATIVE DAY

WEDNESDAY, MAY 3, 2023

11:40 O'CLOCK A.M.

SENATE
Daily Journal Index
43rd Legislative Day

Action	Page(s)
Appointment Messages.....	10
Communication from the Minority Leader.....	5
Deadline Established.....	4, 5
Introduction of Senate Bill No. 2573.....	10
Legislative Measures Filed.....	4, 56
Message from the House.....	18
Messages from the House.....	46
Messages from the President.....	4
Presentation of Senate Resolution No. 241.....	6
Presentation of Senate Resolution No. 244.....	7
Presentation of Senate Resolution No. 245.....	8
Presentation of Senate Resolutions No'd. 242-243.....	6
Report Received.....	4
Reports from Assignments Committee.....	45
Reports from Standing Committees.....	9

Bill Number	Legislative Action	Page(s)
SB 1555	Second Reading.....	19
SJR 0007	Adopted.....	51
SJR 0022	Adopted.....	52
SR 0221	Adopted.....	56
SR 0241	Committee on Assignments.....	6
SR 0244	Committee on Assignments.....	7
SR 0245	Committee on Assignments.....	8
HB 1015	Second Reading.....	19
HB 1109	First Reading.....	18
HB 1122	Second Reading.....	19
HB 1187	Second Reading.....	54
HB 1358	Second Reading.....	19
HB 1367	Second Reading.....	19
HB 1496	Second Reading.....	49
HB 1571	Second Reading.....	19
HB 1612	Second Reading.....	49
HB 1629	Second Reading.....	25
HB 2091	Second Reading.....	54
HB 2145	Second Reading.....	52
HB 2223	Second Reading.....	50
HB 2235	Second Reading.....	54
HB 2267	Second Reading.....	25
HB 2296	Second Reading.....	26
HB 2301	Second Reading.....	26
HB 2372	Second Reading – Amendment(s).....	26
HB 2395	Second Reading.....	27
HB 2450	Second Reading.....	27
HB 2461	Second Reading.....	27
HB 2475	Second Reading – Amendment(s).....	27
HB 2487	Second Reading.....	28
HB 2499	Second Reading.....	29

HB 2531	Second Reading	52
HB 2539	First Reading	18
HB 2579	First Reading	18
HB 2719	Second Reading	50
HB 2789	Third Reading	55
HB 2826	Second Reading	50
HB 3055	Second Reading	30
HB 3135	Second Reading	34
HB 3140	Second Reading	30
HB 3161	Second Reading	30
HB 3227	Second Reading	50
HB 3233	Second Reading	30
HB 3296	First Reading	18
HB 3322	Second Reading	33
HB 3375	Second Reading	33
HB 3400	Second Reading	33
HB 3424	Second Reading	54
HB 3425	Second Reading	33
HB 3516	Second Reading	54
HB 3563	Second Reading – Amendment(s)	50
HB 3646	Second Reading	52
HB 3733	Second Reading	52
HB 3743	Second Reading	33
HB 3768	Second Reading	52
HB 3792	Second Reading	33
HB 3811	Second Reading	34
HB 3817	Second Reading	34
HB 3856	Second Reading	34
HB 3857	Second Reading	34
HB 3902	Second Reading	34
HB 3903	Second Reading	34
HB 3955	Second Reading	34

The Senate met pursuant to adjournment.
Senator Omar Aquino, Chicago, Illinois, presiding.
Prayer by Imam Hassan Aly, The Mecca Center, Willowbrook, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, May 2, 2023, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

CGFA Monthly Report April 2023, submitted by the Commission on Government Forecasting and Accountability.

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 764
Amendment No. 1 to Senate Bill 851
Amendment No. 7 to Senate Bill 1769

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

Amendment No. 1 to House Bill 3129
Amendment No. 1 to House Bill 3508

MESSAGES 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

May 3, 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 3rd Reading deadline to May 11, 2023 for the following bills:

[May 3, 2023]

SB 90

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

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

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
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CHICAGO, ILLINOIS 60601
312-814-2075

May 3, 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 May 11, 2023 for the following House bills:

3144

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

COMMUNICATION FROM THE MINORITY LEADER

SPRINGFIELD OFFICE:
108 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706
PHONE: 217/782-9407

DISTRICT OFFICE:
1011 STATE ST.
SUITE 205
LEMONT, ILLINOIS 62706
PHONE: 630.914.5733
SENATORCURRAN@GMAIL.COM

ILLINOIS STATE SENATE
JOHN CURRAN
SENATE REPUBLICAN LEADER
41ST SENATE DISTRICT

May 3, 2023

Mr. Tim Anderson
Secretary of the Senate

[May 3, 2023]

058 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-5 (c), I hereby temporarily appoint **Senator Chapin Rose** to replace **Senator Dan McConchie** as a member of the Senate Appropriations - Health and Human Services Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Appropriations - Health and Human Services Committee on Wednesday, May 3, 2023.

Sincerely,
s/John F. Curran
John F. Curran
Illinois Senate Republican Leader
41st District

Cc: Senate President Don Harmon
Assistant Secretary of the Senate Scott Kaiser

PRESENTATION OF CELEBRATION OF LIFE RESOLUTIONS

SENATE RESOLUTION NO. 242

Offered by Senators D. Turner - Sims and all Senators:
Mourns the death of Marcus L. Lucas of Springfield.

SENATE RESOLUTION NO. 243

Offered by Senator Anderson and all Senators:
Mourns the death of Dale Otto Wynes of Reynolds.

PRESENTATION OF RESOLUTIONS

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

SENATE RESOLUTION NO. 241

WHEREAS, Passenger rail service is increasingly being recognized as a critical asset for small and medium-sized communities, providing reasonably priced, safe, and accessible transportation to complement the highway network; and

WHEREAS, Fast and frequent passenger trains will help our region to remain globally competitive by lowering travel costs, bypassing highway congestion, and improving access to jobs and education; and

WHEREAS, The State has an excellent mix of universities and colleges that have long been supported by trains to Chicago and will become more attractive with improved service; and

WHEREAS, Improved access to O'Hare International Airport will make the airport more attractive for airlines to offer international flights, which will give communities throughout Illinois better access to global markets; and

WHEREAS, Illinois has a long history of investing in passenger trains, including Amtrak, Metra, and the South Shore Line; and

[May 3, 2023]

WHEREAS, Amtrak and Metra are jointly developing a group of projects to improve rail infrastructure in Chicago, including a direct link between O'Hare International Airport, Chicago Union Station, and McCormick Place; and

WHEREAS, Metra has committed to converting to Regional Rail, where trains operate on "memory schedules", defined as arrivals and departures at the same time each hour they appear on the schedule, to provide quality service to people traveling for many purposes and between many destinations throughout the day; and

WHEREAS, Downstate communities will also benefit from Regional Rail, as use of frequent trains on memory schedules provides the opportunity to serve many types of passenger trips; and

WHEREAS, Regional Rail is the foundation for a future high-speed line operating at 220 mph; and

WHEREAS, The State Rail Plan, the Statewide Public Transportation Plan, and Metra's strategic plan call for a robust web of trains and buses that could create new connectivity throughout the entire State, but projects are currently considered in isolation, with a focus on trips to Chicago; many travel markets and constituencies that would use a well-connected system are missing from the analysis; and

WHEREAS, A unified approach would expedite planning and construction, reduce capital expenses, and create statewide benefits more quickly; and

WHEREAS, Federal funds are now available to expand and upgrade the State's rail network; however, to make the most of these opportunities, the State must act; and

WHEREAS, The Illinois High Speed Rail Commission is developing a vision for an integrated rail plan that would combine high-speed rail and regional rail to link the entire State; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Department of Transportation and the High Speed Railroad Commission to move expeditiously in preparing a Statewide Integrated Network Plan, including the identification of desired service points and key transfer stations, the construction of a theoretical rail and bus schedule with timed transfers, the creation of a ridership and revenue model for the desired network, the estimation of needed infrastructure investments, and the development of a phased implementation plan; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the Secretary of the Illinois Department of Transportation.

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

SENATE RESOLUTION NO. 244

WHEREAS, National Foster Care Month in May of each year is a time to place a spotlight on the important role that members from all parts of child welfare play in supporting the children, youth, and families who are part of the foster care system; and

WHEREAS, In 2023, Foster Care Month is focusing on highlighting the need to take a holistic and culturally responsive approach to supporting the mental health needs of those involved with child welfare; and

WHEREAS, Mental and behavioral health is the largest unmet health need for children and teens in foster care, with up to 80% of children in foster care having significant mental health issues when compared with approximately 18 to 22% of the general population; and

[May 3, 2023]

WHEREAS, A holistic approach is required to meaningfully address the mental health needs of children, teens, and young adults in foster care, which focuses broadly on their well-being within the contexts of home, family, school, work, and community; and

WHEREAS, Investing in culturally appropriate mental health services that recognize an individual's identity, culture, and lived experience may significantly improve the effectiveness of those services and supports, thereby improving long-term outcomes for foster care youth; and

WHEREAS, Relational permanency is fundamental to the well-being of children and youth in foster care, as having stable, nurturing placements positively impacts their resilience and long-term well-being while further allowing them to develop their identity and live within or stay connected to their community and cultural roots; and

WHEREAS, There are over 391,000 children and youth in foster care in the United States, and they all deserve a safe, loving, accepting, stable, and nurturing home; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare the month of May 2023 as Foster Care Awareness Month in the State of Illinois.

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

SENATE RESOLUTION NO. 245

WHEREAS, Delta Sigma Theta Sorority, Incorporated was founded by 22 illustrious college-educated young women on the campus of Howard University in Washington, D.C. in January 1913; and

WHEREAS, Shortly after the founding of Delta Sigma Theta Sorority, Inc., the 22 young women participated in the Women's Suffrage March and demanded rights for women, including the right to vote, which transformed the role of women in the democratic process; and

WHEREAS, Delta Sigma Theta Sorority, Inc. is an organization of college-educated women committed to the constructive development of its members through public service with a primary focus on the Black community; and

WHEREAS, The programs of Delta Sigma Theta Sorority, Inc. are implemented through its Five Point Programmatic Thrust, which includes Economic Development, Educational Development, Physical and Mental Health, Political Awareness and Involvement, and International Awareness and Involvement; and

WHEREAS, Members of Delta Sigma Theta Sorority, Inc. are accomplished corporate, civic, and public officials and acclaimed scholars; and

WHEREAS, Delta Sigma Theta Sorority, Inc. has a membership of more than 350,000 college-educated women in more than 1,020 chapters worldwide, of which 25 chapters are located in the State of Illinois; and

WHEREAS, In 1989, the National Social Action Commission instituted Delta Days in the Nation's Capital as a biennial legislative conference to increase member involvement in the public policy-making process; and

WHEREAS, Delta Days at the Illinois State Capitol has occurred on a regular basis with members from across the State in attendance; therefore, be it

[May 3, 2023]

RESOLVED, BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare May 3, 2023 as Delta Day 2023 at the State Capitol in recognition of Delta Sigma Theta Sorority, Incorporated and the 2023 theme of "Effectuating Change: Impact through Accountability, Empowerment and Action"; and be it further

RESOLVED, That a suitable copy of this resolution be presented to Delta Sigma Theta Sorority, Inc. as a symbol of our respect and esteem.

REPORTS FROM STANDING COMMITTEES

Senator Martwick, Chair of the Committee on Judiciary, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 800
Senate Amendment No. 1 to Senate Bill 1068

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Martwick, Chair of the Committee on Judiciary, to which was referred **House Bill No. 1268**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Martwick, Chair of the Committee on Judiciary, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 2174

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Johnson, Chair of the Committee on Education, to which was referred **Senate Bill No. 90**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Johnson, Chair of the Committee on Education, to which was referred **House Bills Numbered 3690 and 3932**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Johnson, Chair of the Committee on Education, to which was referred **House Bills Numbered 2396 and 3524**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Johnson, Chair of the Committee on Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 3570

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Villa, Chair of the Committee on Public Health, to which was referred **House Bills Numbered 1526 and 2820**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 285

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Morrison, Chair of the Committee on Health and Human Services, to which was referred **House Bills Numbered 439 and 3699**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Feigenholtz, Chair of the Committee on Financial Institutions, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 3233

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Pacione-Zayas, Chair of the Committee on Early Childhood Education, to which was referred **House Bill No. 3566**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

INTRODUCTION OF BILL

SENATE BILL NO. 2573. Introduced by Senator N. Harris, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

APPOINTMENT MESSAGES

Appointment Message No. 1030204

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Amusement Ride and Attraction Safety Board

Start Date: April 28, 2023

End Date: January 17, 2025

Name: Michael Clark

[May 3, 2023]

Residence: 4515 12th Ave., Rock Island, IL 61201

Annual Compensation: Expenses

Per diem: \$36

Nominee's Senator: Senator Michael W. Halpin

Most Recent Holder of Office: Patty Sullivan

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030205

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Board of Health

Start Date: April 28, 2023

End Date: November 1, 2024

Name: David Taewoong Chung

Residence: 11470 Summerville Rd., Sparta, IL 62286

Annual Compensation: Expenses

Per diem: \$150 not to exceed \$10,000 per annum

Nominee's Senator: Senator Terri Bryant

Most Recent Holder of Office: Carolyn C. Lopez

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030206

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: April 28, 2023

End Date: December 31, 2023

Name: Sheila A. Bedi

Residence: 5409 S. Harper Ave., Chicago, IL 60615

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Vanessa del Valle (alternate seat)

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030207

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: April 28, 2023

End Date: December 31, 2023

Name: Vanessa del Valle

Residence: 5122 W. Winnemac Ave., Chicago, IL 60630

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert F. Martwick

Most Recent Holder of Office: Robert Loeb

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030208

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

[May 3, 2023]

Agency or Other Body: Civil Service Commission

Start Date: May 1, 2023

End Date: March 1, 2029

Name: Teresa Christine Smith

Residence: 2704 Hastings Rd., Chatham, IL 62629

Annual Compensation: \$27,212 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Teresa Christine Smith

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030209

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Civil Service Commission

Start Date: May 1, 2023

End Date: March 1, 2029

Name: David Luechtefeld

Residence: 1402 Lake View Ct., Okawville, IL 62271

Annual Compensation: \$27,212 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Jason Plummer

Most Recent Holder of Office: David Luechtefeld

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030210

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Civil Service Commission

Start Date: May 1, 2023

End Date: March 1, 2029

Name: Judith Lynn McAnarney

Residence: 1500 Old Ivy Dr., Springfield, IL 62711

Annual Compensation: \$27,212 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Tim Sickmeyer

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030211

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: May 1, 2023

End Date: March 1, 2027

Name: James P. Connolly

Residence: 12615 S. 104th Ave., Palos Park, IL 60464

Annual Compensation: \$31,427 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: James P. Connolly

Superseded Appointment Message: Not Applicable

[May 3, 2023]

Appointment Message No. 1030212

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: May 1, 2023

End Date: March 1, 2027

Name: Jacqueline Gomez

Residence: 4108 N. Lawndale Ave., Chicago, IL 60618

Annual Compensation: \$31,427 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Cristina H. Pacione-Zayas

Most Recent Holder of Office: Jacqueline Gomez

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030213

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Toll Highway Authority

Start Date: May 1, 2023

End Date: March 1, 2027

Name: James M. Sweeney

Residence: 8801 S. Newcastle Ave., Chicago, IL 60638

Annual Compensation: \$31,427 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Mike Porfirio

[May 3, 2023]

Most Recent Holder of Office: James M. Sweeney

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030214

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: May 15, 2023

End Date: January 20, 2025

Name: Darryldean M. Goff

Residence: 2407 State St., Lawrenceville, IL 62439

Annual Compensation: \$92,305 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Chapin Rose

Most Recent Holder of Office: Eleanor Wilson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030215

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Prisoner Review Board

Start Date: May 15, 2023

End Date: January 15, 2029

Name: Krystal Tison

Residence: 1506 Barnett Rd., Harrisburg, IL 62946

Annual Compensation: \$92,305 per annum

[May 3, 2023]

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Lisa Daniels

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030216

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Board of Health

Start Date: May 1, 2023

End Date: November 1, 2024

Name: Abel Kho

Residence: 3655 N. Artesian Ave., Chicago, IL 60618

Annual Compensation: Unsalariated

Per diem: \$150, not to exceed \$10,000 per year, plus expenses

Nominee's Senator: Senator Cristina H. Pacione-Zayas

Most Recent Holder of Office: Sameer Vohra

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030217

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Western Illinois University Board of Trustees

Start Date: May 1, 2023

End Date: January 15, 2029

Name: Kisha M.J. Lang

Residence: 1608 S. 6th Ave., Maywood, IL 60153

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: Kisha M.J. Lang

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Executive Appointments.

MESSAGE FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1109

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 2204

A bill for AN ACT concerning State government.

HOUSE BILL NO. 2507

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 2539

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 2579

A bill for AN ACT concerning revenue.

HOUSE BILL NO. 3296

A bill for AN ACT concerning regulation.

Passed the House, May 2, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1109, 2204, 2507, 2539, 2579 and 3296** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1109, sponsored by Senator Gillespie, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2539, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 2579, sponsored by Senator DeWitte, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3296, sponsored by Senator Ellman, was taken up, read by title a first time and referred to the Committee on Assignments.

[May 3, 2023]

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Koehler, **Senate Bill No. 1555** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Environment and Conservation.

Floor Amendment Nos. 2 and 3 were held in the Committee on Assignments.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Sims, **House Bill No. 1015** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pacione-Zayas, **House Bill No. 1122** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 1358** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cervantes, **House Bill No. 1367** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **House Bill No. 1571** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 1571

AMENDMENT NO. 1. Amend House Bill 1571 by replacing everything after the enacting clause with the following:

"Section 1. References to Act. This Act may be referred to as the Michael Bauer Memorial Act.

Section 5. The Cemetery Oversight Act is amended by changing Sections 10-23 and 20-5 as follows:
(225 ILCS 411/10-23)

(Section scheduled to be repealed on January 1, 2027)

Sec. 10-23. Code of Professional Conduct and Ethics. Licensed cemetery authorities and their licensed cemetery managers and customer service employees, and cemetery authorities maintaining a partial exemption and their cemetery managers and customer service employees shall:

- (a) refrain from committing any action that may violate Section 25-10 of this Act;
- (b) be aware of applicable federal and State laws and regulations, adhere to those laws and regulations, and be able to explain them to families in an understandable manner;
- (c) treat all human remains with proper care and dignity, honoring known religious, ethnic, and personal beliefs;
- (d) protect all confidential information;
- (e) carry out all aspects of service in a competent and respectful manner;
- (f) fulfill all written and verbal agreements and contracts;
- (g) provide honest, factual, and complete information regarding all aspects of the services offered and provided;
- (h) not engage in advertising that is false, misleading, or otherwise prohibited by law;
- (i) not discriminate against any person because of race, creed, marital status, sex, national origin, sexual orientation, or color, except a religious cemetery may restrict its services to those of the same religious faith or creed. A cemetery authority operating any cemetery may designate parts of cemeteries or burial grounds for the specific use of persons whose religious code requires isolation;
- (j) to have clear and specific cemetery rules and regulations, subject to other applicable law, including this Act, and to apply them equally to all consumers and individuals ~~families~~ served;

(k) report all violations of this Act and this Section to the Department.

(Source: P.A. 96-863, eff. 3-1-10; 97-679, eff. 2-6-12.)

(225 ILCS 411/20-5)

(Section scheduled to be repealed on January 1, 2027)

Sec. 20-5. Maintenance and records.

(a) A cemetery authority shall provide reasonable maintenance of the cemetery property and of all lots, graves, crypts, and columbariums in the cemetery based on the type and size of the cemetery, topographic limitations, and contractual commitments with consumers. Subject to the provisions of this subsection (a), reasonable maintenance includes:

(1) the laying of seed, sod, or other suitable ground cover as soon as practical following an interment given the weather conditions, climate, and season and the interment's proximity to ongoing burial activity;

(2) the cutting of lawn throughout the cemetery at reasonable intervals to prevent an overgrowth of grass and weeds given the weather conditions, climate, and season;

(3) the trimming of shrubs to prevent excessive overgrowth;

(4) the trimming of trees to remove dead limbs;

(5) maintaining, repairing, or removing, if necessary, drains, water lines, roads, buildings, fences, and other structures; and

(6) keeping the cemetery premises free of trash and debris.

In determining whether a cemetery authority provides reasonable maintenance of the cemetery property, the Department shall consider:

(1) the cemetery authority's contractual obligations for care and maintenance;

(2) the size of the cemetery;

(3) the extent and use of the cemetery authority's financial resources;

(4) the standard of maintenance of one or more similarly situated cemeteries; in determining whether a cemetery is similarly situated, the Department shall consider the cemetery's size, location, topography, and financial resources, and whether the cemetery is a fraternal cemetery, a religious cemetery, a public cemetery, a cemetery owned and operated by a cemetery association, or a licensed cemetery.

Reasonable maintenance by the cemetery authority shall not preclude the exercise of lawful rights by the owner of an interment, inurnment, or entombment right, or by the decedent's immediate family or other heirs, in accordance with reasonable rules and regulations of the cemetery or other agreement of the cemetery authority.

In the case of a cemetery dedicated as a nature preserve under the Illinois Natural Areas Preservation Act, reasonable maintenance by the cemetery authority shall be in accordance with the rules and master plan governing the dedicated nature preserve.

A cemetery authority accused of violating the reasonable maintenance standard set forth in this Section shall have a reasonable opportunity to cure the violation. The cemetery authority shall have 10 business days after receipt of notice to cure the violation. If a cemetery authority cannot cure the violation within 10 business days, then the cemetery authority may request a time extension in order to cure the violation. The request for an extension shall be made in writing to the Department and must be postmarked within 10 business days after receipt of the notice of the alleged violation. The request shall outline all reasons for the extension and an estimated date by which the cure will be accomplished. Acceptable reasons include, without limitation, delays caused by weather conditions, season or climate, equipment failures, or acquisitions of materials or supplies being addressed by the authority in a timely manner, and unexpected temporary absences of personnel. The Department may approve or deny the extension. If the extension is denied, then the cemetery authority must cure the violation within 10 business days after the date of receipt of the Department's extension denial. If the extension is granted, then the cemetery authority must cure the violation within the extended period of time. A cemetery authority that does not cure the violation within the appropriate period of time shall be subject to discipline in accordance with Article 25 of this Act.

(b) A cemetery authority, before commencing cemetery operations or within 6 months after the effective date of this Act, shall cause an overall map of its cemetery property, delineating all lots or plots, blocks, sections, avenues, walks, alleys, and paths and their respective designations, to be filed at its on-site office, or if it does not maintain an on-site office, at its principal place of business. The cemetery authority shall update its map and index described in subsection (b-5) within a reasonable time after any expansion or alteration of the cemetery property. A cemetery manager's certificate acknowledging, accepting, and

adopting the map shall also be included with the map. The Department may order that the cemetery authority obtain a cemetery plat and that it be filed at its on-site office, or if it does not maintain an on-site office, at its principal place of business if (1) a human body that should have been interred, entombed, or inurned at the cemetery after the effective date of this amendatory Act of the 97th General Assembly is missing, displaced, or dismembered and (2) the cemetery map contains serious discrepancies.

In exercising this discretion, the Department shall consider whether the cemetery authority would experience an undue hardship as a result of obtaining the plat. The cemetery plat, as with all plats prepared under this Act, shall comply with the Illinois Professional Land Surveyor Act of 1989 and shall delineate, describe, and set forth all lots or plots, blocks, sections, avenues, walks, alleys, and paths and their respective designations. A cemetery manager's certificate acknowledging, accepting, and adopting the plat shall also be included with the plat.

(b-5) A cemetery authority shall maintain an index that associates the identity of deceased persons interred, entombed, or inurned after the effective date of this Act with their respective place of interment, entombment, or inurnment.

(c) The cemetery authority shall open the cemetery map or plat to public inspection. The cemetery authority shall make available a copy of the overall cemetery map or plat upon written request and shall, if practical, provide a copy of a segment of the cemetery plat where interment rights are located upon the payment of reasonable photocopy fees. Any unsold lots, plots, or parts thereof, in which there are not human remains, may be resurveyed and altered in shape or size and properly designated on the cemetery map or plat. However, sold lots, plots, or parts thereof in which there are human remains may not be renumbered or renamed. Nothing contained in this subsection, however, shall prevent the cemetery authority from enlarging an interment right by selling to its owner the excess space next to the interment right and permitting interments therein, provided reasonable access to the interment right and to adjoining interment rights is not thereby eliminated.

(d) A cemetery authority shall keep a record of every interment, entombment, and inurnment completed after the effective date of this Act. The record shall include the deceased's name, age, date of burial, and the specific location of the interred, entombed, or inurned human remains. The specific location shall correspond to the map or plat maintained in accordance with subsection (b) of this Section.

(e) (Blank).

(f) A cemetery authority shall make publicly available for inspection and, upon reasonable request and the payment of a reasonable copying fee, provide a copy of its rules and regulations through continuous publication on an Internet website or social media page, with a reference to and notice of the rules and regulations set forth in every contract or legal agreement with any person for services in relation to the cemetery. If the cemetery authority does not operate or maintain any website or social media page, then it shall provide a copy of its rules and regulations to each person either prior to or contemporaneous with the cemetery authority's representative's presentment of any contract or legal agreement for services in relation to the cemetery or within 5 days of such a person's request. A cemetery authority may charge a reasonable copying fee in exchange for a paper copy of the cemetery authority's rules and regulations. A cemetery authority shall make available for viewing and provide a copy of its current prices of interment, disinterment, inurnment, or entombment rights.

(g) A cemetery authority shall provide access to the cemetery under the cemetery authority's reasonable rules and regulations.

(h) A cemetery authority shall be responsible for the proper opening and closing of all graves, crypts, or niches for human remains in any cemetery property it owns.

(i) A licensed cemetery authority shall keep in this State and use in its business such records as will enable the Department to determine whether such licensee or trustee is complying with the provisions of this Act and with the rules, regulations, and directions made by the Department under this Act. The licensed cemetery authority shall keep the records in electronic or written format at the location identified in the license issued by the Department or as otherwise agreed by the Department in writing. The books, accounts, and records shall be accessible for review upon demand of the Department.

(Source: P.A. 96-863, eff. 3-1-10; 97-679, eff. 2-6-12.)

Section 15. The Disposition of Remains Act is amended by changing Section 50 as follows:

(755 ILCS 65/50)

Sec. 50. Disputes.

(a) Any dispute among any of the persons listed in Section 5 concerning their right to control the disposition, including cremation, of a decedent's remains shall be resolved by a court of competent jurisdiction within 30 days of the dispute being filed with the court. A cemetery organization or funeral establishment shall not be liable for refusing to accept the decedent's remains, or to inter or otherwise dispose of the decedent's remains, until it receives a court order or other suitable confirmation that the dispute has been resolved or settled.

(b) Any dispute over a disinterment shall be resolved by a circuit court with all reasonable promptness by the court. If the court finds that a party to a disinterment dispute has acted in bad faith, the court may, in its sole discretion, award costs, including reasonable attorney's fees, against the person it finds has acted in bad faith.

(Source: P.A. 101-381, eff. 1-1-20.)

Section 20. The Cemetery Protection Act is amended by changing Section 2 as follows:

(765 ILCS 835/2) (from Ch. 21, par. 16)

Sec. 2. The cemetery authority is hereby authorized to make ~~by laws or~~ rules and regulations for the government thereof, and to make rules regarding the driving of cars, motorcycles, carriages, processions, teams, and the speed thereof, the use of avenues, lots, walks, ponds, water courses, vaults, buildings, or other places within such cemetery, the operations and good management in such cemetery, the protection of visitors, the protection of employees, and for the maintenance of good order and quiet in such cemetery, all such rules to be subject to the rights of interment, entombment, ~~or~~ inurnment, and disinterment right owners, or others, owning any interest in such cemetery; and all persons found guilty of a violation of such rules shall be guilty of a petty offense and shall be punished by a fine of not less than \$100, nor more than \$500 for each offense. No judge shall be disqualified from hearing any cause that may be brought before him under the provisions of this Act, nor shall any person be disqualified from acting as a juror in such cause, by reason of any interest or ownership they or either of them may have in the interment, entombment, or inurnment rights of such cemetery. The rules and regulations shall be made publicly available through continuous publication on an Internet website or social media page, with a reference to and notice of the rules and regulations set forth in every contract or legal agreement with any person for services in relation to the cemetery. If the cemetery authority does not operate or maintain any website or social media page, then it shall provide a copy of the rules and regulations to each person either prior to or contemporaneous with the cemetery authority's representative's presentation of any contract or legal agreement for services in relation to the cemetery or within 5 days of such a person's request. A cemetery authority may charge a reasonable copying fee in exchange for a paper copy of the cemetery authority's rules and regulations.

(Source: P.A. 94-44, eff. 6-17-05)."

AMENDMENT NO. 2 TO HOUSE BILL 1571

AMENDMENT NO. 2 . Amend House Bill 1571 by replacing everything after the enacting clause with the following:

"Section 1. References to Act. This Act may be referred to as the Michael Bauer Memorial Act.

Section 5. The Cemetery Oversight Act is amended by changing Sections 10-23 and 20-5 as follows:

(225 ILCS 411/10-23)

(Section scheduled to be repealed on January 1, 2027)

Sec. 10-23. Code of Professional Conduct and Ethics. Licensed cemetery authorities and their licensed cemetery managers and customer service employees, and cemetery authorities maintaining a partial exemption and their cemetery managers and customer service employees shall:

- (a) refrain from committing any action that may violate Section 25-10 of this Act;
- (b) be aware of applicable federal and State laws and regulations, adhere to those laws and regulations, and be able to explain them to families in an understandable manner;
- (c) treat all human remains with proper care and dignity, honoring known religious, ethnic, and personal beliefs;
- (d) protect all confidential information;
- (e) carry out all aspects of service in a competent and respectful manner;
- (f) fulfill all written and verbal agreements and contracts;

[May 3, 2023]

(g) provide honest, factual, and complete information regarding all aspects of the services offered and provided;

(h) not engage in advertising that is false, misleading, or otherwise prohibited by law;

(i) not discriminate against any person because of race, creed, marital status, sex, national origin, sexual orientation, or color, except a religious cemetery may restrict its services to those of the same religious faith or creed. A cemetery authority operating any cemetery may designate parts of cemeteries or burial grounds for the specific use of persons whose religious code requires isolation;

(j) to have clear and specific cemetery rules and regulations, subject to other applicable law, including this Act, and to apply them equally to all consumers and individuals ~~families~~ served;

(k) report all violations of this Act and this Section to the Department.

(Source: P.A. 96-863, eff. 3-1-10; 97-679, eff. 2-6-12.)

(225 ILCS 411/20-5)

(Section scheduled to be repealed on January 1, 2027)

Sec. 20-5. Maintenance and records.

(a) A cemetery authority shall provide reasonable maintenance of the cemetery property and of all lots, graves, crypts, and columbariums in the cemetery based on the type and size of the cemetery, topographic limitations, and contractual commitments with consumers. Subject to the provisions of this subsection (a), reasonable maintenance includes:

(1) the laying of seed, sod, or other suitable ground cover as soon as practical following an interment given the weather conditions, climate, and season and the interment's proximity to ongoing burial activity;

(2) the cutting of lawn throughout the cemetery at reasonable intervals to prevent an overgrowth of grass and weeds given the weather conditions, climate, and season;

(3) the trimming of shrubs to prevent excessive overgrowth;

(4) the trimming of trees to remove dead limbs;

(5) maintaining, repairing, or removing, if necessary, drains, water lines, roads, buildings, fences, and other structures; and

(6) keeping the cemetery premises free of trash and debris.

In determining whether a cemetery authority provides reasonable maintenance of the cemetery property, the Department shall consider:

(1) the cemetery authority's contractual obligations for care and maintenance;

(2) the size of the cemetery;

(3) the extent and use of the cemetery authority's financial resources;

(4) the standard of maintenance of one or more similarly situated cemeteries; in determining whether a cemetery is similarly situated, the Department shall consider the cemetery's size, location, topography, and financial resources, and whether the cemetery is a fraternal cemetery, a religious cemetery, a public cemetery, a cemetery owned and operated by a cemetery association, or a licensed cemetery.

Reasonable maintenance by the cemetery authority shall not preclude the exercise of lawful rights by the owner of an interment, inurnment, or entombment right, or by the decedent's immediate family or other heirs, in accordance with reasonable rules and regulations of the cemetery or other agreement of the cemetery authority.

In the case of a cemetery dedicated as a nature preserve under the Illinois Natural Areas Preservation Act, reasonable maintenance by the cemetery authority shall be in accordance with the rules and master plan governing the dedicated nature preserve.

A cemetery authority accused of violating the reasonable maintenance standard set forth in this Section shall have a reasonable opportunity to cure the violation. The cemetery authority shall have 10 business days after receipt of notice to cure the violation. If a cemetery authority cannot cure the violation within 10 business days, then the cemetery authority may request a time extension in order to cure the violation. The request for an extension shall be made in writing to the Department and must be postmarked within 10 business days after receipt of the notice of the alleged violation. The request shall outline all reasons for the extension and an estimated date by which the cure will be accomplished. Acceptable reasons include, without limitation, delays caused by weather conditions, season or climate, equipment failures, or acquisitions of materials or supplies being addressed by the authority in a timely manner, and unexpected temporary absences of personnel. The Department may approve or deny the extension. If the extension is denied, then the cemetery authority must cure the violation within 10 business days after the date of receipt

of the Department's extension denial. If the extension is granted, then the cemetery authority must cure the violation within the extended period of time. A cemetery authority that does not cure the violation within the appropriate period of time shall be subject to discipline in accordance with Article 25 of this Act.

(b) A cemetery authority, before commencing cemetery operations or within 6 months after the effective date of this Act, shall cause an overall map of its cemetery property, delineating all lots or plots, blocks, sections, avenues, walks, alleys, and paths and their respective designations, to be filed at its on-site office, or if it does not maintain an on-site office, at its principal place of business. The cemetery authority shall update its map and index described in subsection (b-5) within a reasonable time after any expansion or alteration of the cemetery property. A cemetery manager's certificate acknowledging, accepting, and adopting the map shall also be included with the map. The Department may order that the cemetery authority obtain a cemetery plat and that it be filed at its on-site office, or if it does not maintain an on-site office, at its principal place of business if (1) a human body that should have been interred, entombed, or inurned at the cemetery after the effective date of this amendatory Act of the 97th General Assembly is missing, displaced, or dismembered and (2) the cemetery map contains serious discrepancies.

In exercising this discretion, the Department shall consider whether the cemetery authority would experience an undue hardship as a result of obtaining the plat. The cemetery plat, as with all plats prepared under this Act, shall comply with the Illinois Professional Land Surveyor Act of 1989 and shall delineate, describe, and set forth all lots or plots, blocks, sections, avenues, walks, alleys, and paths and their respective designations. A cemetery manager's certificate acknowledging, accepting, and adopting the plat shall also be included with the plat.

(b-5) A cemetery authority shall maintain an index that associates the identity of deceased persons interred, entombed, or inurned after the effective date of this Act with their respective place of interment, entombment, or inurnment.

(c) The cemetery authority shall open the cemetery map or plat to public inspection. The cemetery authority shall make available a copy of the overall cemetery map or plat upon written request and shall, if practical, provide a copy of a segment of the cemetery plat where interment rights are located upon the payment of reasonable photocopy fees. Any unsold lots, plots, or parts thereof, in which there are not human remains, may be resurveyed and altered in shape or size and properly designated on the cemetery map or plat. However, sold lots, plots, or parts thereof in which there are human remains may not be renumbered or renamed. Nothing contained in this subsection, however, shall prevent the cemetery authority from enlarging an interment right by selling to its owner the excess space next to the interment right and permitting interments therein, provided reasonable access to the interment right and to adjoining interment rights is not thereby eliminated.

(d) A cemetery authority shall keep a record of every interment, entombment, and inurnment completed after the effective date of this Act. The record shall include the deceased's name, age, date of burial, and the specific location of the interred, entombed, or inurned human remains. The specific location shall correspond to the map or plat maintained in accordance with subsection (b) of this Section.

(e) (Blank).

(f) A cemetery authority shall make publicly available for inspection and, upon reasonable request and the payment of a reasonable copying fee, provide a copy of its rules and regulations through continuous publication on an Internet website or social media page, with a reference to and notice of the rules and regulations for services in relation to the cemetery. A cemetery authority that does not operate or maintain a website or social media page shall provide an electronic or paper copy of its rules and regulations upon request of any person within 5 days of the person's request. A cemetery authority may charge a reasonable copying fee for a paper copy of the cemetery authority's rules and regulations. A cemetery authority shall make available for viewing and provide a copy of its current prices of interment, inurnment, or entombment rights, or disinterment services.

(g) A cemetery authority shall provide access to the cemetery under the cemetery authority's reasonable rules and regulations.

(h) A cemetery authority shall be responsible for the proper opening and closing of all graves, crypts, or niches for human remains in any cemetery property it owns.

(i) A licensed cemetery authority shall keep in this State and use in its business such records as will enable the Department to determine whether such licensee or trustee is complying with the provisions of this Act and with the rules, regulations, and directions made by the Department under this Act. The licensed cemetery authority shall keep the records in electronic or written format at the location identified in the

license issued by the Department or as otherwise agreed by the Department in writing. The books, accounts, and records shall be accessible for review upon demand of the Department.
(Source: P.A. 96-863, eff. 3-1-10; 97-679, eff. 2-6-12.)

Section 15. The Disposition of Remains Act is amended by changing Section 50 as follows:

(755 ILCS 65/50)

Sec. 50. Disputes.

(a) Any dispute among any of the persons listed in Section 5 concerning their right to control the disposition, including cremation, of a decedent's remains shall be resolved by a court of competent jurisdiction within 30 days of the dispute being filed with the court. A cemetery organization or funeral establishment shall not be liable for refusing to accept the decedent's remains, or to inter or otherwise dispose of the decedent's remains, until it receives a court order or other suitable confirmation that the dispute has been resolved or settled.

(b) Any dispute over a disinterment shall be resolved by a circuit court with all reasonable promptness by the court. If the court finds that a party to a disinterment dispute has acted in bad faith, the court may, in its sole discretion, award costs, including reasonable attorney's fees, against the person it finds has acted in bad faith.

(Source: P.A. 101-381, eff. 1-1-20.)

Section 20. The Cemetery Protection Act is amended by changing Section 2 as follows:

(765 ILCS 835/2) (from Ch. 21, par. 16)

Sec. 2. (a) The cemetery authority is hereby authorized to make by laws or rules and regulations for the government thereof, including and to make rules regarding the driving of cars, motorcycles, carriages, processions, teams, and the speed thereof, the use of avenues, lots, walks, ponds, water courses, vaults, buildings, or other places within such cemetery, the operations and good management in such cemetery, the protection of visitors, the protection of employees, and for the maintenance of good order and quiet in such cemetery, so long as ~~all~~ such rules and regulations shall ~~to~~ be subject to the rights of interment, entombment, or inurnment right owners, or others, owning any interest in such cemetery; and all persons found guilty of a violation of such rules shall be guilty of a petty offense and shall be punished by a fine of not less than \$100, nor more than \$500 for each offense. No judge shall be disqualified from hearing any cause that may be brought before him or her under the provisions of this Act, nor shall any person be disqualified from acting as a juror in such cause, by reason of any interest or ownership they or either of them may have in the interment, entombment, or inurnment rights of such cemetery.

(b) The rules and regulations, as referenced in subsection (a), shall be made publicly available through continuous publication on an Internet website or social media page that the cemetery authority maintains, operates, or uses. Each contract that a cemetery authority presents to a consumer shall contain a reference to and notice of the Internet website or social media page that it maintains, operates, or uses to make available its rules and regulations as referenced in subsection (a).

(c) If a cemetery authority does not maintain, operate, or use an Internet website or social media page, the cemetery authority must provide a consumer with either an email or paper copy of the rules and regulations, as referenced in subsection (a), at the execution of a contract or within 5 business days of request thereof. A cemetery authority may charge a reasonable copying fee in exchange for a paper copy of the cemetery authority's rules and regulations. Each contract that a cemetery authority presents to a consumer shall contain a reference to and notice of such rules and regulations set forth together with information about where the consumer can access or obtain a copy of the rules and regulations.

(Source: P.A. 94-44, eff. 6-17-05.)"

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

On motion of Senator Rezin, **House Bill No. 1629** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cunningham, **House Bill No. 2267** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 2296** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2296

AMENDMENT NO. 1. Amend House Bill 2296 on page 51, line 14, by deleting "regular"; and on page 51, line 15, by replacing "~~registered or certified~~" with "registered or certified"; and on page 51, line 17, after "record", by inserting "or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to an email address on record".

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

On motion of Senator Ellman, **House Bill No. 2301** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Joyce, **House Bill No. 2372** having been printed, was taken up and read by title a second time.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2372

AMENDMENT NO. 1. Amend House Bill 2372 by replacing everything after the enacting clause with the following:

"Section 5. The Fire Investigation Act is amended by adding Section 13.2 as follows:
(425 ILCS 25/13.2 new)

Sec. 13.2. Youth Firesetter Interventionist Coordinator; Certified Youth Firesetter Interventionists.

(a) The Office of the State Fire Marshal shall create the position of Youth Firesetter Interventionist Coordinator within the Division of Arson. The Youth Firesetter Interventionist Coordinator must be a certified youth firesetter interventionist.

The Office shall use National Fire Protection Association standards related to the Youth Firesetter Intervention Program Manager in the development of the job responsibilities for the Youth Firesetter Interventionist Coordinator.

The Youth Firesetter Interventionist Coordinator shall have the following responsibilities:

(1) The Youth Firesetter Interventionist Coordinator shall ensure that a Certified Youth Firesetter Interventionist employed within the Office, or a local Certified Youth Firesetter Interventionist, physically sees or connects with a youth whose case was referred to the Office within 72 hours of a referral. If no other Certified Youth Firesetter Interventionist is available, then the Youth Firesetter Interventionist Coordinator must take the case and ensure that he or she physically sees or connects with the youth within 72 hours. The 72 hours includes any weekend days or national or State holidays.

(2) The Youth Firesetter Interventionist Coordinator shall assist with Freedom of Information Act requests.

(3) The Office shall create a report on Youth Firesetter Interventions, and shall submit such report to the General Assembly. The report shall be semiannual for the first 2 years, and the first report shall be submitted to the General Assembly by December 31, 2023. After the first 3 semiannual reports, the report shall be submitted annually. The semiannual reports shall be submitted by: December 31, 2023, June 30, 2024, and December 31, 2024.

(b) A local Certified Youth Firesetter Interventionist rostered with a fire department or fire protection district may receive a \$250 stipend and mileage reimbursement for any necessary travel for a case only if the local Certified Youth Firesetter Interventionist is not otherwise compensated by another employer or entity for that case.

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 bill, as amended, was ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 2395** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2395

AMENDMENT NO. 1. Amend House Bill 2395 on page 100, line 19, by replacing "~~or certified~~" with "or certified"; and

on page 100, line 21, after "record", by inserting "or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to the party's email address on record"; and

on page 110, line 8, after "email address of record", by inserting "or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to the party's email address on record".

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

On motion of Senator Glowiak Hilton, **House Bill No. 2450** having been printed, was taken up and read by title a second time.

The following amendments were offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 2450

AMENDMENT NO. 1. Amend House Bill 2450 on page 3, line 22, by replacing "National Surgical Assistant Association" with "National Commission for the Certification of Surgical Assistants ~~National Surgical Assistant Association~~".

AMENDMENT NO. 2 TO HOUSE BILL 2450

AMENDMENT NO. 2. Amend House Bill 2450 on page 17, line 1, by replacing "~~registered or certified~~" with "registered or certified"; and

on page 17, line 3, after "record", by inserting "or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to an email address on record".

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

On motion of Senator Joyce, **House Bill No. 2461** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Joyce, **House Bill No. 2475** having been printed, was taken up and read by title a second time.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2475

AMENDMENT NO. 1. Amend House Bill 2475 on page 2, by replacing lines 6 through 9 with the following:

"Board. A person who meets ~~All persons who meet~~ one of the following requirements is ~~are~~ deemed to have met the collegiate educational requirements:

(i) has ~~have~~ been honorably discharged and who has ~~have~~ been"; and

on page 2, line 17, by replacing "are active members" with "is an active member ~~are active members~~"; and

on page 2, line 19, by replacing "have" with "has ~~have~~"; and

on page 3, lines 1 and 4, by replacing "have" each time it appears with "has ~~have~~"; and

on page 3, line 3, by replacing "or" with "~~or~~"; and

on page 3, by replacing line 10 with the following:

"discharge before hiring; or-

(v) has successfully completed basic law enforcement training, has at least 3 years of continuous, full-time service as a peace officer with the same police department, and is currently serving as a peace officer when applying."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Belt, **House Bill No. 2487** having been printed, was taken up and 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 HOUSE BILL 2487

AMENDMENT NO. 1. Amend House Bill 2487 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Justice40 Oversight Committee Act.

Section 5. Purpose; findings.

(a) The purpose of this Act is to further the interest of the State of Illinois in Justice40, an initiative to deliver at least 40% of the overall benefits from federal investments in climate and clean energy to disadvantaged communities.

(b) The General Assembly finds that disadvantaged communities bear a disproportionate burden from the effects of climate change. The State of Illinois has a responsibility to protect these communities and to enable the use of these resources and must adequately prepare to make robust policy suggestions in consultation with residents from disadvantaged communities, advocates, and industries.

Section 10. Definition. In this Act, "Oversight Committee" means the Justice40 Oversight Committee established under Section 15.

Section 15. Justice40 Oversight Committee; duties.

(a) The Justice40 Oversight Committee is established. The Oversight Committee shall:

(1) make findings, conclusions, and recommendations regarding environmental justice in this State and uses of federal funds provided to the State for environmental justice;

(2) submit an initial report delineating the Oversight Committee's findings, conclusions, and recommendations to the General Assembly no later than June 30, 2024; and

(3) after the initial report under paragraph (2), submit an annual report delineating the Oversight Committee's findings, conclusions, and recommendations to the General Assembly no later than June 30 of each year after 2023.

(b) After initial voting members have been appointed under Section 20, the Oversight Committee shall meet not less than twice each quarter after the effective date of this Act to carry out its duties under this Act.

Section 20. Appointments; members.

(a) Members of the Oversight Committee shall be appointed according to subsections (d) and (e) no later than 60 days after the effective date of this Act. If a vacancy occurs within the Oversight Committee, the vacancy shall be filled in a manner consistent with subsections (d) and (e).

(b) At the discretion of both of the Co-Chairpersons, additional individuals may participate as nonvoting members of the Oversight Committee.

(c) With the approval of both of the Co-Chairpersons, additional individuals may be appointed as voting members of the Oversight Committee.

(d) The Oversight Committee shall consist of the following voting members:

(1) four members appointed as follows and who represent, when possible, disadvantaged communities:

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

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

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

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

(2) the Director of the Illinois Environmental Protection Agency or his or her designee;

(3) the Director of Public Health or his or her designee;

(4) the Secretary of Human Services or his or her designee; and

(5) the Secretary of Transportation or his or her designee.

(e) The Oversight Committee may, at the discretion of the Oversight Committee, consist of the following nonvoting members:

(1) two representatives from labor organizations;

(2) two representatives from a statewide organization representing manufacturers;

(3) two representatives from faith-based organizations;

(4) two representatives from environmental justice organizations;

(5) two representatives from community-based organizations that work to facilitate affordable housing, transportation, or other essential services;

(6) two residents of disadvantaged communities; and

(7) a person nominated by a federal agency.

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

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

On motion of Senator Belt, **House Bill No. 2499** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 2499

AMENDMENT NO. 1. Amend House Bill 2499 on page 6, by replacing lines 7 through 12 with the following:

"deem proper. Written notice may be served by certified or registered mail sent to the licensee's address of record.

The written notice and any notice in the subsequent proceeding may be served electronically to the licensee's email address of record, or, if in the course of the administrative proceeding the party has previously designated a specific email address at which to accept electronic service for that specific proceeding, by sending a copy by email to the email address on record."

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

On motion of Senator Sims, **House Bill No. 3055** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 3140** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 3161** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **House Bill No. 3233** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3233

AMENDMENT NO. 1. Amend House Bill 3233 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 67 as follows:

(110 ILCS 947/67)

Sec. 67. Illinois DREAM Fund Commission.

(a) The Illinois Student Assistance Commission shall establish an Illinois DREAM Fund Commission. The Governor shall appoint, with the advice and consent of the Senate, members to the Illinois DREAM Fund Commission, which shall be comprised of 9 members representing the geographic and ethnic diversity of this State, including students, college and university administrators and faculty, and other individuals committed to advancing the educational opportunities of the children of immigrants.

(b) The Illinois DREAM Fund Commission is charged with all of the following responsibilities:

(1) Administering this Section and raising funds for the Illinois DREAM Fund.

(2) Establishing a not-for-profit entity charged with raising funds for the administration of this Section, any educational or training programs the Commission is tasked with administering, and funding scholarships to students who are the children of immigrants to the United States.

(3) Publicizing the availability of scholarships from the Illinois DREAM Fund.

(4) Selecting the recipients of scholarships funded through the Illinois DREAM Fund.

(5) Researching issues pertaining to the availability of assistance with the costs of higher education for the children of immigrants and other issues regarding access for and the performance of the children of immigrants within higher education.

(6) Overseeing implementation of the other provisions of this amendatory Act of the 97th General Assembly.

(7) Establishing and administering training programs for high school counselors and counselors, admissions officers, and financial aid officers of public institutions of higher education. The training programs shall instruct participants on the educational opportunities available to college-bound students who are the children of immigrants, including, but not limited to, in-state tuition and scholarship programs. The Illinois DREAM Fund Commission may also establish a public awareness campaign regarding educational opportunities available to college bound students who are the children of immigrants.

The Illinois DREAM Fund Commission shall establish, by rule, procedures for accepting and evaluating applications for scholarships from the children of immigrants and issuing scholarships to selected student applicants.

(c) To receive a scholarship under this Section, a student must meet all of the following qualifications:

(1) Have resided with his or her parents or guardian while attending a public or private high school in this State.

(2) Have graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) Have attended school in this State for at least 3 years as of the date he or she graduated from high school or received the equivalent of a high school diploma.

(4) Have at least one parent who immigrated to the United States.

(d) The Illinois Student Assistance Commission shall establish an Illinois DREAM Fund to provide scholarships under this Section. The Illinois DREAM Fund shall be funded entirely from private contributions.

(e) The Illinois DREAM Fund Commission shall develop a comprehensive program, including creation of informational materials and a marketing plan, to educate people in the State of Illinois about the purpose and benefits of contributions made to the Illinois DREAM Fund.

(Source: P.A. 97-233, eff. 8-1-11.)

Section 10. The Transmitters of Money Act is amended by adding Section 94 as follows:

(205 ILCS 657/94 new)

Sec. 94. Donations; Illinois DREAM Fund. Licensees shall offer every customer who transmits money internationally the option to make a voluntary donation to the Illinois DREAM Fund. Licensees must present customers with the option to make a donation to the Illinois DREAM Fund before the customer completes their transaction. The amount of the donation shall be no less than \$1 per transaction. The Department may adopt rules to administer, implement, and interpret the provisions of this Section, including, but not limited to, the amount of the donation options to be presented to customers, the manner and timing of receiving donations and remitting the donations to the Illinois DREAM Fund, and the methods by which the licensee may offer the option to donate to customers. Licensees shall be responsible for ensuring that authorized sellers comply with this Section. Licensees shall not use, deduct, or retain any amounts from donations to the Illinois DREAM Fund, except any actual cost imposed by third-party payment processors to receive or remit the funds. Beginning on January 1, 2024, this Section applies to international money transmissions initiated by customers at a licensee's or authorized seller's physical location. Beginning on January 1, 2025, this Section applies to international money transmissions that are initiated online or in any other manner.

Section 99. Effective date. This Act takes effect January 1, 2024."

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3233

AMENDMENT NO. 2 . Amend House Bill 3233 by replacing everything after the enacting clause with the following:

"Section 5. The Higher Education Student Assistance Act is amended by changing Section 67 as follows:

(110 ILCS 947/67)

Sec. 67. Illinois DREAM Fund Commission.

(a) The Illinois Student Assistance Commission shall establish an Illinois DREAM Fund Commission. The Governor shall appoint, with the advice and consent of the Senate, members to the Illinois DREAM Fund Commission, which shall be comprised of 9 members representing the geographic and ethnic diversity of this State, including students, college and university administrators and faculty, and other individuals committed to advancing the educational opportunities of the children of immigrants.

(b) The Illinois DREAM Fund Commission is charged with all of the following responsibilities:

(1) Administering this Section and raising funds for the Illinois DREAM Fund.

(2) Establishing a not-for-profit entity charged with raising funds for the administration of this Section, any educational or training programs the Commission is tasked with administering, and funding scholarships to students who are the children of immigrants to the United States.

(3) Publicizing the availability of scholarships from the Illinois DREAM Fund.

(4) Selecting the recipients of scholarships funded through the Illinois DREAM Fund.

(5) Researching issues pertaining to the availability of assistance with the costs of higher education for the children of immigrants and other issues regarding access for and the performance of the children of immigrants within higher education.

(6) Overseeing implementation of the other provisions of this amendatory Act of the 97th General Assembly.

(7) Establishing and administering training programs for high school counselors and counselors, admissions officers, and financial aid officers of public institutions of higher education. The training programs shall instruct participants on the educational opportunities available to college-bound students who are the children of immigrants, including, but not limited to, in-state tuition and scholarship programs. The Illinois DREAM Fund Commission may also establish a public awareness campaign regarding educational opportunities available to college bound students who are the children of immigrants.

The Illinois DREAM Fund Commission shall establish, by rule, procedures for accepting and evaluating applications for scholarships from the children of immigrants and issuing scholarships to selected student applicants.

(c) To receive a scholarship under this Section, a student must meet all of the following qualifications:

(1) Have resided with his or her parents or guardian while attending a public or private high school in this State.

(2) Have graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) Have attended school in this State for at least 3 years as of the date he or she graduated from high school or received the equivalent of a high school diploma.

(4) Have at least one parent who immigrated to the United States.

(d) The Illinois Student Assistance Commission shall establish an Illinois DREAM Fund to provide scholarships under this Section. The Illinois DREAM Fund shall be funded entirely from private contributions.

(e) The Illinois DREAM Fund Commission shall develop a comprehensive program, including creation of informational materials and a marketing plan, to educate people in the State of Illinois about the purpose and benefits of contributions made to the Illinois DREAM Fund. The Illinois DREAM Fund Commission shall develop specific marketing materials for the voluntary use by persons licensed pursuant to the Transmitters of Money Act.

(Source: P.A. 97-233, eff. 8-1-11.)

Section 10. The Transmitters of Money Act is amended by adding Section 94 as follows:

(205 ILCS 657/94 new)

Sec. 94. Donations; Illinois DREAM Fund.

(a) Licensees may offer every customer who transmits money internationally the option to make a voluntary donation to the Illinois DREAM Fund. Licensees may present customers with the option to make a donation to the Illinois DREAM Fund before the customer completes the transaction. The amount of the donation shall be no less than \$1 per transaction. The Department may adopt rules to administer, implement, and interpret the provisions of this Section, including, but not limited to, the amount of the donation options to be presented to customers, the manner and timing of receiving donations and remitting the donations to the Illinois DREAM Fund, and the methods by which the licensee may offer the option to donate to customers. Licensees shall not use, deduct, or retain any amounts from donations to the Illinois DREAM Fund, except any actual cost imposed by third-party payment processors to receive or remit the funds.

(b) The Department shall provide to licensees under this Act electronic copies of all marketing materials created by the Illinois DREAM Fund Commission for licensees pursuant to subsection (e) of Section 67 of the Higher Education Student Assistance Act.

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 bill, as amended, was ordered to a third reading.

On motion of Senator Sims, **House Bill No. 3322** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pacione-Zayas, **House Bill No. 3375** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 3400** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3400

AMENDMENT NO. 1 . Amend House Bill 3400 by replacing everything after the enacting clause with the following:

"Section 5. The Prevailing Wage Act is amended by changing Section 3.1 as follows:
(820 ILCS 130/3.1)

Sec. 3.1. Employment on public works of local laborers; report. The Department of Labor shall report ~~quarterly~~ annually, no later than February 1, to the General Assembly and the Governor the number of people employed on public works in the State during the preceding 3 months calendar year. This report shall include the total number of people employed on each public works project during the preceding 3 months ~~and the total number of hours worked on public works both statewide and by county~~. The report shall identify every public works project in the State by project name and contractor name and include the demographics of the workers on the project by percentage, including gender, race, and ethnicity, broken down by the following categories: (i) type of trade; (ii) whether the worker is a journey worker or apprentice; and (iii) total work hours performed. ~~Additionally, the report shall include the total number of people employed and the hours worked on public works by the 5-digit zip code, as collected on certified payroll, of the individual's residence during employment on public works. The report to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and Secretary shall direct.~~
(Source: P.A. 100-1177, eff. 6-1-19.)".

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

On motion of Senator Feigenholtz, **House Bill No. 3425** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hastings, **House Bill No. 3743** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3743

AMENDMENT NO. 1 . Amend House Bill 3743 by replacing everything after the enacting clause with the following:

"Section 5. The State Commemorative Dates Act is amended by changing Section 1 as follows:
(5 ILCS 490/1) (from Ch. 1, par. 3051-1)

Sec. 1. Short title. This Act may be cited as the ~~the~~ State Commemorative Dates Act.

(Source: P.A. 87-272.)".

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

On motion of Senator Stadelman, **House Bill No. 3792** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Faraci, **House Bill No. 3811** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3811

AMENDMENT NO. 1. Amend House Bill 3811 by replacing everything after the enacting clause with the following:

"Section 5. The State Treasurer Act is amended by changing Section 0.01 as follows:

(15 ILCS 505/0.01) (from Ch. 130, par. 0.01)

Sec. 0.01. Short title. This Act may be cited as the ~~the~~ State Treasurer Act.

(Source: P.A. 86-1324.)".

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

On motion of Senator Cunningham, **House Bill No. 3817** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3817

AMENDMENT NO. 1. Amend House Bill 3817 by replacing everything after the enacting clause with the following:

"Section 5. The State Designations Act is amended by changing Section 1 as follows:

(5 ILCS 460/1) (from Ch. 1, par. 2901-1)

Sec. 1. This Act may be cited as the ~~the~~ State Designations Act.

(Source: P.A. 87-273.)".

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

On motion of Senator Johnson, **House Bill No. 3856** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **House Bill No. 3857** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **House Bill No. 3902** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **House Bill No. 3903** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 3955** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 3135** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3135

AMENDMENT NO. 1. Amend House Bill 3135 by replacing everything after the enacting clause with the following:

[May 3, 2023]

"Section 5. The Illinois Human Rights Act is amended by changing Sections 7-101, 7A-102, 7A-104, 7B-104, 8-103, 8A-102, 10-101, and 10-102 and by adding Section 10-105 as follows:

(775 ILCS 5/7-101) (from Ch. 68, par. 7-101)

Sec. 7-101. Powers and Duties. In addition to other powers and duties prescribed in this Act, the Department shall have the following powers:

(A) Rules and Regulations. To adopt, promulgate, amend, and rescind rules and regulations not inconsistent with the provisions of this Act pursuant to the Illinois Administrative Procedure Act.

(B) Charges. To issue, receive, investigate, conciliate, settle, and dismiss charges filed in conformity with this Act.

(C) Compulsory Process. To request subpoenas as it deems necessary for its investigations.

(D) Complaints. To file complaints with the Commission in conformity with this Act and to intervene in complaints pending before the Commission filed under Article 2, 4, 5, 5A, or 6.

(E) Judicial Enforcement. To seek temporary relief and to enforce orders of the Commission in conformity with this Act.

(F) Equal Employment Opportunities. To take such action as may be authorized to provide for equal employment opportunities and affirmative action.

(G) Recruitment; Research; Public Communication; Advisory Councils. To engage in such recruitment, research and public communication and create such advisory councils as may be authorized to effectuate the purposes of this Act.

(H) Coordination with other Agencies. To coordinate its activities with federal, state, and local agencies in conformity with this Act.

(I) Grants; Private Gifts.

(1) To accept public grants and private gifts as may be authorized.

(2) To design grant programs and award grants to eligible recipients.

(J) Education and Training. To implement a formal and unbiased program of education and training for all employees assigned to investigate and conciliate charges under Articles 7A and 7B. The training program shall include the following:

(1) substantive and procedural aspects of the investigation and conciliation positions;

(2) current issues in human rights law and practice;

(3) lectures by specialists in substantive areas related to human rights matters;

(4) orientation to each operational unit of the Department and Commission;

(5) observation of experienced Department investigators and attorneys conducting conciliation conferences, combined with the opportunity to discuss evidence presented and rulings made;

(6) the use of hypothetical cases requiring the Department investigator and conciliation conference attorney to issue judgments as a means to evaluating knowledge and writing ability;

(7) writing skills;

(8) computer skills, including but not limited to word processing and document management.

A formal, unbiased and ongoing professional development program including, but not limited to, the above-noted areas shall be implemented to keep Department investigators and attorneys informed of recent developments and issues and to assist them in maintaining and enhancing their professional competence.

(Source: P.A. 102-1115, eff. 1-9-23.)

(775 ILCS 5/7A-102) (from Ch. 68, par. 7A-102)

Sec. 7A-102. Procedures.

(A) Charge.

(1) Within 300 calendar days after the date that a civil rights violation allegedly has been committed, a charge in writing under oath or affirmation may be filed with the Department by an aggrieved party or issued by the Department itself under the signature of the Director.

(2) The charge shall be in such detail as to substantially apprise any party properly concerned as to the time, place, and facts surrounding the alleged civil rights violation.

(3) Charges deemed filed with the Department pursuant to subsection (A-1) of this Section shall be deemed to be in compliance with this subsection.

(A-1) Equal Employment Opportunity Commission Charges.

(1) If a charge is filed with the Equal Employment Opportunity Commission (EEOC) within 300 calendar days after the date of the alleged civil rights violation, the charge shall be deemed filed with the Department on the date filed with the EEOC. If the EEOC is the governmental agency designated to investigate the charge first, the Department shall take no action until the EEOC makes a

determination on the charge and after the complainant notifies the Department of the EEOC's determination. In such cases, after receiving notice from the EEOC that a charge was filed, the Department shall notify the parties that (i) a charge has been received by the EEOC and has been sent to the Department for dual filing purposes; (ii) the EEOC is the governmental agency responsible for investigating the charge and that the investigation shall be conducted pursuant to the rules and procedures adopted by the EEOC; (iii) it will take no action on the charge until the EEOC issues its determination; (iv) the complainant must submit a copy of the EEOC's determination within 30 days after service of the determination by the EEOC on the complainant; and (v) that the time period to investigate the charge contained in subsection (G) of this Section is tolled from the date on which the charge is filed with the EEOC until the EEOC issues its determination.

(2) If the EEOC finds reasonable cause to believe that there has been a violation of federal law and if the Department is timely notified of the EEOC's findings by the complainant, the Department shall notify the complainant that the Department has adopted the EEOC's determination of reasonable cause and that the complainant has the right, within 90 days after receipt of the Department's notice, to either file the complainant's ~~his or her~~ own complaint with the Illinois Human Rights Commission or commence a civil action in the appropriate circuit court or other appropriate court of competent jurisdiction. This notice shall be provided to the complainant within 10 business days after the Department's receipt of the EEOC's determination. The Department's notice to the complainant that the Department has adopted the EEOC's determination of reasonable cause shall constitute the Department's Report for purposes of subparagraph (D) of this Section.

(3) For those charges alleging violations within the jurisdiction of both the EEOC and the Department and for which the EEOC either (i) does not issue a determination, but does issue the complainant a notice of a right to sue, including when the right to sue is issued at the request of the complainant, or (ii) determines that it is unable to establish that illegal discrimination has occurred and issues the complainant a right to sue notice, and if the Department is timely notified of the EEOC's determination by the complainant, the Department shall notify the parties, within 10 business days after receipt of the EEOC's determination, that the Department will adopt the EEOC's determination as a dismissal for lack of substantial evidence unless the complainant requests in writing within 35 days after receipt of the Department's notice that the Department review the EEOC's determination.

(a) If the complainant does not file a written request with the Department to review the EEOC's determination within 35 days after receipt of the Department's notice, the Department shall notify the complainant, within 10 business days after the expiration of the 35-day period, that the decision of the EEOC has been adopted by the Department as a dismissal for lack of substantial evidence and that the complainant has the right, within 90 days after receipt of the Department's notice, to commence a civil action in the appropriate circuit court or other appropriate court of competent jurisdiction. The Department's notice to the complainant that the Department has adopted the EEOC's determination shall constitute the Department's report for purposes of subparagraph (D) of this Section.

(b) If the complainant does file a written request with the Department to review the EEOC's determination, the Department shall review the EEOC's determination and any evidence obtained by the EEOC during its investigation. If, after reviewing the EEOC's determination and any evidence obtained by the EEOC, the Department determines there is no need for further investigation of the charge, the Department shall issue a report and the Director shall determine whether there is substantial evidence that the alleged civil rights violation has been committed pursuant to subsection (D) of this Section. If, after reviewing the EEOC's determination and any evidence obtained by the EEOC, the Department determines there is a need for further investigation of the charge, the Department may conduct any further investigation it deems necessary. After reviewing the EEOC's determination, the evidence obtained by the EEOC, and any additional investigation conducted by the Department, the Department shall issue a report and the Director shall determine whether there is substantial evidence that the alleged civil rights violation has been committed pursuant to subsection (D) of this Section.

(4) Pursuant to this Section, if the EEOC dismisses the charge or a portion of the charge of discrimination because, under federal law, the EEOC lacks jurisdiction over the charge, and if, under this Act, the Department has jurisdiction over the charge of discrimination, the Department shall

investigate the charge or portion of the charge dismissed by the EEOC for lack of jurisdiction pursuant to subsections (A), (A-1), (B), (B-1), (C), (D), (E), (F), (G), (H), (I), (J), and (K) of this Section.

(5) The time limit set out in subsection (G) of this Section is tolled from the date on which the charge is filed with the EEOC to the date on which the EEOC issues its determination.

(6) The failure of the Department to meet the 10-business-day notification deadlines set out in paragraph (2) of this subsection shall not impair the rights of any party.

(B) Notice and Response to Charge. The Department shall, within 10 days of the date on which the charge was filed, serve a copy of the charge on the respondent and provide all parties with a notice of the complainant's right to opt out of the investigation within 60 days as set forth in subsection (C-1). This period shall not be construed to be jurisdictional. The charging party and the respondent may each file a position statement and other materials with the Department regarding the charge of alleged discrimination within 60 days of receipt of the notice of the charge. The position statements and other materials filed shall remain confidential unless otherwise agreed to by the party providing the information and shall not be served on or made available to the other party during the pendency of a charge with the Department. The Department may require the respondent to file a response to the allegations contained in the charge. Upon the Department's request, the respondent shall file a response to the charge within 60 days and shall serve a copy of its response on the complainant or the complainant's ~~his or her~~ representative. Notwithstanding any request from the Department, the respondent may elect to file a response to the charge within 60 days of receipt of notice of the charge, provided the respondent serves a copy of its response on the complainant or the complainant's ~~his or her~~ representative. All allegations contained in the charge not denied by the respondent within 60 days of the Department's request for a response may be deemed admitted, unless the respondent states that it is without sufficient information to form a belief with respect to such allegation. The Department may issue a notice of default directed to any respondent who fails to file a response to a charge within 60 days of receipt of the Department's request, unless the respondent can demonstrate good cause as to why such notice should not issue. The term "good cause" shall be defined by rule promulgated by the Department. Within 30 days of receipt of the respondent's response, the complainant may file a reply to said response and shall serve a copy of said reply on the respondent or the respondent's ~~his or her~~ representative. A party shall have the right to supplement the party's ~~his or her~~ response or reply at any time that the investigation of the charge is pending. The Department shall, within 10 days of the date on which the charge was filed, and again no later than 335 days thereafter, send by certified or registered mail, or electronic mail if elected by the party, written notice to the complainant and to the respondent informing the complainant of the complainant's rights to either file a complaint with the Human Rights Commission or commence a civil action in the appropriate circuit court under subparagraph (2) of paragraph (G), including in such notice the dates within which the complainant may exercise these rights. In the notice the Department shall notify the complainant that the charge of civil rights violation will be dismissed with prejudice and with no right to further proceed if a written complaint is not timely filed with the Commission or with the appropriate circuit court by the complainant pursuant to subparagraph (2) of paragraph (G) or by the Department pursuant to subparagraph (1) of paragraph (G).

(B-1) Mediation. The complainant and respondent may agree to voluntarily submit the charge to mediation without waiving any rights that are otherwise available to either party pursuant to this Act and without incurring any obligation to accept the result of the mediation process. Nothing occurring in mediation shall be disclosed by the Department or admissible in evidence in any subsequent proceeding unless the complainant and the respondent agree in writing that such disclosure be made.

(C) Investigation.

(1) The Department shall conduct an investigation sufficient to determine whether the allegations set forth in the charge are supported by substantial evidence unless the complainant elects to opt out of an investigation pursuant to subsection (C-1).

(2) The Director or the Director's ~~his or her~~ designated representatives shall have authority to request any member of the Commission to issue subpoenas to compel the attendance of a witness or the production for examination of any books, records or documents whatsoever.

(3) If any witness whose testimony is required for any investigation resides outside the State, or through illness or any other good cause as determined by the Director is unable to be interviewed by the investigator or appear at a fact finding conference, the witness' ~~his or her~~ testimony or deposition may be taken, within or without the State, in the same manner as is provided for in the taking of depositions in civil cases in circuit courts.

(4) Upon reasonable notice to the complainant and the respondent, the Department shall conduct a fact finding conference, unless prior to 365 days after the date on which the charge was filed the Director has determined whether there is substantial evidence that the alleged civil rights violation has been committed, the charge has been dismissed for lack of jurisdiction, or the parties voluntarily and in writing agree to waive the fact finding conference. Any party's failure to attend the conference without good cause shall result in dismissal or default. The term "good cause" shall be defined by rule promulgated by the Department. A notice of dismissal or default shall be issued by the Director. The notice of default issued by the Director shall notify the respondent that a request for review may be filed in writing with the Commission within 30 days of receipt of notice of default. The notice of dismissal issued by the Director shall give the complainant notice of the complainant's ~~his or her~~ right to seek review of the dismissal before the Human Rights Commission or commence a civil action in the appropriate circuit court. If the complainant chooses to have the Human Rights Commission review the dismissal order, the complainant ~~he or she~~ shall file a request for review with the Commission within 90 days after receipt of the Director's notice. If the complainant chooses to file a request for review with the Commission, the complainant ~~he or she~~ may not later commence a civil action in a circuit court. If the complainant chooses to commence a civil action in a circuit court, the complainant ~~he or she~~ must do so within 90 days after receipt of the Director's notice.

(C-1) Opt out of Department's investigation. At any time within 60 days after receipt of notice of the right to opt out, a complainant may submit a written request seeking notice from the Director indicating that the complainant has opted out of the investigation and may commence a civil action in the appropriate circuit court or other appropriate court of competent jurisdiction. Within 10 business days of receipt of the complainant's request to opt out of the investigation, the Director shall issue a notice to the parties stating that: (i) the complainant has exercised the right to opt out of the investigation; (ii) the complainant has 90 days after receipt of the Director's notice to commence an action in the appropriate circuit court or other appropriate court of competent jurisdiction; and (iii) the Department has ceased its investigation and is administratively closing the charge. The complainant shall notify the Department ~~and the respondent~~ that a complaint has been filed with the appropriate circuit court by serving ~~or other appropriate court of competent jurisdiction and shall mail~~ a copy of the complaint on the chief legal counsel of ~~to~~ the Department within 21 days from the ~~and the respondent on the same date that the complaint is filed with the appropriate circuit court. This 21-day period for service on the chief legal counsel shall not be construed to be jurisdictional.~~ Once a complainant has opted out of the investigation under this subsection, the complainant ~~he or she~~ may not file or refile a substantially similar charge with the Department arising from the same incident of unlawful discrimination or harassment.

(D) Report.

(1) Each charge investigated under subsection (C) shall be the subject of a report to the Director. The report shall be a confidential document subject to review by the Director, authorized Department employees, the parties, and, where indicated by this Act, members of the Commission or their designated hearing officers.

(2) Upon review of the report, the Director shall determine whether there is substantial evidence that the alleged civil rights violation has been committed. The determination of substantial evidence is limited to determining the need for further consideration of the charge pursuant to this Act and includes, but is not limited to, findings of fact and conclusions, as well as the reasons for the determinations on all material issues. Substantial evidence is evidence which a reasonable mind accepts as sufficient to support a particular conclusion and which consists of more than a mere scintilla but may be somewhat less than a preponderance.

(3) If the Director determines that there is no substantial evidence, the charge shall be dismissed ~~by order of~~ the Director and the Director shall give the complainant notice of the complainant's ~~his or her~~ right to seek review of the notice of dismissal ~~order~~ before the Commission or commence a civil action in the appropriate circuit court. If the complainant chooses to have the Human Rights Commission review the notice of dismissal ~~order~~, the complainant ~~he or she~~ shall file a request for review with the Commission within 90 days after receipt of the Director's notice. If the complainant chooses to file a request for review with the Commission, the complainant ~~he or she~~ may not later commence a civil action in a circuit court. If the complainant chooses to commence a civil action in a circuit court, the complainant ~~he or she~~ must do so within 90 days after receipt of the Director's notice. The complainant shall notify the Department that a complaint has been filed by serving a copy of the complaint on the chief legal counsel of the Department within 21 days from the date that the

complaint is filed in circuit court. This 21-day period for service on the chief legal counsel shall not be construed to be jurisdictional.

(4) If the Director determines that there is substantial evidence, the Director ~~he or she~~ shall notify the complainant and respondent of that determination. The Director shall also notify the parties that the complainant has the right to either commence a civil action in the appropriate circuit court or request that the Department of Human Rights file a complaint with the Human Rights Commission on the complainant's ~~his or her~~ behalf. Any such complaint shall be filed within 90 days after receipt of the Director's notice. If the complainant chooses to have the Department file a complaint with the Human Rights Commission on the complainant's ~~his or her~~ behalf, the complainant must, within 30 days after receipt of the Director's notice, request in writing that the Department file the complaint. If the complainant timely requests that the Department file the complaint, the Department shall file the complaint on the complainant's ~~his or her~~ behalf. If the complainant fails to timely request that the Department file the complaint, the complainant may file the complainant's ~~his or her~~ complaint with the Commission or commence a civil action in the appropriate circuit court. If the complainant files a complaint with the Human Rights Commission, the complainant shall notify the Department that a complaint has been filed by serving a copy of the complaint on the chief legal counsel of the Department within 21 days from the date that the complaint is filed ~~give notice to the Department of the filing of the complaint~~ with the Human Rights Commission. This 21-day period for service on the chief legal counsel shall not be construed to be jurisdictional.

(E) Conciliation.

(1) When there is a finding of substantial evidence, the Department may designate a Department employee who is an attorney licensed to practice in Illinois to endeavor to eliminate the effect of the alleged civil rights violation and to prevent its repetition by means of conference and conciliation.

(2) When the Department determines that a formal conciliation conference is necessary, the complainant and respondent shall be notified of the time and place of the conference by registered or certified mail at least 10 days prior thereto and either or both parties shall appear at the conference in person or by attorney.

(3) The place fixed for the conference shall be within 35 miles of the place where the civil rights violation is alleged to have been committed.

(4) Nothing occurring at the conference shall be disclosed by the Department unless the complainant and respondent agree in writing that such disclosure be made.

(5) The Department's efforts to conciliate the matter shall not stay or extend the time for filing the complaint with the Commission or the circuit court.

(F) Complaint.

(1) When the complainant requests that the Department file a complaint with the Commission on the complainant's ~~his or her~~ behalf, the Department shall prepare a written complaint, under oath or affirmation, stating the nature of the civil rights violation substantially as alleged in the charge previously filed and the relief sought on behalf of the aggrieved party. The Department shall file the complaint with the Commission.

(1.5) If the complainant chooses to file a complaint with the Commission without the Department's assistance, the complainant shall notify the Department that a complaint has been filed by serving a copy of the complaint on the chief legal counsel of the Department within 21 days from the date that the complaint is filed with the Human Rights Commission. This 21-day period for service on the chief legal counsel shall not be construed to be jurisdictional.

(2) If the complainant chooses to commence a civil action in a circuit court:

(i) The complainant shall file the civil action ~~he or she must do so~~ in the circuit court in the county wherein the civil rights violation was allegedly committed.

(ii) The form of the complaint in any such civil action shall be in accordance with the Code of Civil Procedure.

(iii) The complainant shall notify the Department that a complaint has been filed by serving a copy of the complaint on the chief legal counsel of the Department within 21 days from date that the complaint is filed in circuit court. This 21-day period for service on the chief legal counsel shall not be construed to be jurisdictional.

(G) Time Limit.

(1) When a charge of a civil rights violation has been properly filed, the Department, within 365 days thereof or within any extension of that period agreed to in writing by all parties, shall issue its report as required by subparagraph (D). Any such report shall be duly served upon both the complainant and the respondent.

(2) If the Department has not issued its report within 365 days after the charge is filed, or any such longer period agreed to in writing by all the parties, the complainant shall have 90 days to either file ~~the complainant's his or her~~ own complaint with the Human Rights Commission or commence a civil action in the appropriate circuit court. If the complainant files a complaint with the Commission, the form of the complaint shall be in accordance with the provisions of paragraph (F)(1). If the complainant commences a civil action in a circuit court, the form of the complaint shall be in accordance with the Code of Civil Procedure. The aggrieved party shall notify the Department that a complaint has been filed by serving and shall serve a copy of the complaint on the chief legal counsel of the Department with 21 days from the on the same date that the complaint is filed with the Commission or in circuit court. This 21-day period for service on the chief legal counsel shall not be construed to be jurisdictional. If the complainant files a complaint with the Commission, the complainant he or she may not later commence a civil action in circuit court.

(3) If an aggrieved party files a complaint with the Human Rights Commission or commences a civil action in circuit court pursuant to paragraph (2) of this subsection, or if the time period for filing a complaint has expired, the Department shall immediately cease its investigation and dismiss the charge of civil rights violation. Any final order entered by the Commission under this Section is appealable in accordance with paragraph (B)(1) of Section 8-111. Failure to immediately cease an investigation and dismiss the charge of civil rights violation as provided in this paragraph (3) constitutes grounds for entry of an order by the circuit court permanently enjoining the investigation. The Department may also be liable for any costs and other damages incurred by the respondent as a result of the action of the Department.

(4) (Blank).

(H) Public Act 89-370 applies to causes of action filed on or after January 1, 1996.

(I) Public Act 89-520 applies to causes of action filed on or after January 1, 1996.

(J) The changes made to this Section by Public Act 95-243 apply to charges filed on or after the effective date of those changes.

(K) The changes made to this Section by Public Act 96-876 apply to charges filed on or after the effective date of those changes.

(L) The changes made to this Section by Public Act 100-1066 apply to charges filed on or after August 24, 2018 (the effective date of Public Act 100-1066).

(Source: P.A. 101-221, eff. 1-1-20; 102-558, eff. 8-20-21.)

(775 ILCS 5/7A-104) (from Ch. 68, par. 7A-104)

Sec. 7A-104. Judicial Proceedings.

(A) Temporary Relief.

(1) At any time after a charge is filed, the Department or complainant may petition the appropriate court for temporary relief, pending final determination of the proceedings under this Act; ~~including an order or judgment restraining the respondent from doing or causing any act which would render ineffectual an order which the Commission may enter with respect to the complainant. Whether it is brought by the Department or by the complainant, the petition shall contain a certification by the Director that the particular matter warrants presents exceptional circumstances in which irreparable injury will result from a civil rights violation in the absence of temporary relief. The filing of a petition under this paragraph does not affect the initiation or continuation of administrative proceedings under Sections 7A-102 and 8A-102.~~

(2) The petition shall be filed in the circuit court for the county in which the respondent resides or transacts business or in which the alleged violation took place, and the proceedings shall be governed by Part I of Article XI of the "Code of Civil Procedure", as amended. ~~The Except as provided in subsection (A) (3), the court may grant temporary relief or a temporary restraining order as it deems just and proper.~~

(3) ~~(Blank). When the petition is based upon a civil rights violation as defined in Article 3 of this Act, the relief or restraining order entered by the court shall not exceed 5 days unless:~~

~~(a) A longer period is agreed to by the respondent; or~~

~~(b) The court finds that there is substantial evidence to demonstrate that the respondent has engaged in unlawful discrimination.~~

(B) Expedited Proceedings.

(1) A complainant or the Department at the request of the complainant may at any time petition the circuit court for expedited proceedings. Except as to causes the circuit court considers to be of greater importance, consideration of petitions for expedited proceedings under this subsection shall take precedence on the docket over all other causes and be assigned for hearing at the earliest practicable date and expedited in every way.

(2) Venue for a petition filed under this subsection shall lie in the county where the respondent resides or is found or where the alleged violation was committed.

(3) Any petition filed by the complainant shall name the Department, Commission and the respondent. Any petition filed by the Department, upon request of the complainant, shall name the Commission and the respondent.

(4) If the circuit court determines that the complainant is likely to die before the termination of the proceedings under this Act, it may order the proceedings expedited. When an order for expedited proceedings is issued, the processing of the complainant's charge by the Department and Commission shall take precedence over all matters except older matters of the same character. Where such order is issued, the Department, the Commission, any panel of the Commission, or any Commission hearing officer shall be authorized to shorten any time period, other than the filing period set by Section 7A-102(A)(1). If such an order is issued and the complainant is before the Department, the Department shall immediately appoint an investigator if an investigator has not been appointed and shall in 90 days either file a complaint or order that no complaint be issued. If the Department fails to make a determination within 90 days the complainant shall have 30 days to file a ~~his~~ complaint with the Commission.

(C) Enforcement of Commission Orders. When authorized by this Act, the Department, at the request of the Commission, may take whatever action may be authorized for the enforcement of Commission orders. (Source: P.A. 101-661, eff. 4-2-21.)

(775 ILCS 5/7B-104) (from Ch. 68, par. 7B-104)

Sec. 7B-104. Judicial Proceedings. (A) Temporary Relief. (1) At any time after a charge is filed, the Department or aggrieved party may petition the appropriate court for temporary relief, pending final determination of the proceedings under this Act, ~~including an order or judgment restraining the respondent from doing or causing any act which would render ineffectual an order which the Commission may enter with respect to the aggrieved party.~~ Whether it is brought by the Department or by the aggrieved party, the petition shall contain a certification by the Director that the particular matter warrants presents exceptional circumstances in which irreparable injury will result from a civil rights violation in the absence of temporary relief. The filing of a petition under this paragraph does not affect the initiation or continuation of administrative proceedings under Sections 7B-102 and 8B-102 ~~Section 7A-102 and Section 8A-102 of this Act.~~

(2) The petition shall be filed in the circuit court for the county in which the respondent resides or transacts business or in which the alleged violation took place, and the proceedings shall be governed by Part 1 of Article XI of the "Code of Civil Procedure", as amended. The ~~Except as provided in subsection (A) (3),~~ the court may grant temporary relief or a temporary restraining order as it deems just and proper.

(3) (Blank). ~~When the petition is based upon a civil rights violation as defined in Article 3 of this Act, the duration of the relief or restraining order entered by the court shall not exceed 5 days unless:~~

~~(a) A longer period is agreed to by the respondent; or~~

~~(b) The court finds that there is substantial evidence to demonstrate that the respondent has engaged in unlawful discrimination.~~

(B) Enforcement of Commission Orders. When authorized by this Act, the Department, at the request of the Commission, may take whatever action may be authorized for the enforcement of Commission orders. (Source: P.A. 86-910.)

(775 ILCS 5/8-103) (from Ch. 68, par. 8-103)

Sec. 8-103. Request for review.

(A) Jurisdiction. The Commission, through a panel of 3 ~~three~~ members, shall have jurisdiction to hear and determine requests for review of (1) decisions of the Department to dismiss a charge; and (2) notices of default issued by the Department.

In each instance, the Department shall be the respondent. The respondent on the charge, in the case of dismissal, or the complainant, in the case of default, may file a response to the request for review.

(B) Review. When a request for review is properly filed, the Commission may consider the Department's report, any argument and supplemental evidence timely submitted, and the results of any additional investigation conducted by the Department in response to the request. In its discretion, the Commission may designate a hearing officer to conduct a hearing into the factual basis of the matter at issue. Within 120 days after the effective date of this amendatory Act of the 100th General Assembly, the Commission shall adopt rules of minimum standards for the contents of responses to requests for review, including, but not limited to, proposed statements of uncontested facts and proposed statements of the legal issues.

(C) Default Order. When a respondent fails to file a timely request for review of a notice of default, or the default is sustained on review, the Commission shall enter a default order and notify the parties that the complainant has the right to either commence a civil action in the appropriate circuit court to determine the complainant's damages or request that the Commission set a hearing on damages before one of its hearing officers. The complainant shall have 90 days after receipt of the Commission's default order to either commence a civil action in the appropriate circuit court or request that the Commission set a hearing on damages.

(D) Time Period Toll. Proceedings on requests for review shall toll the time limitation established in paragraph (G) of Section 7A-102 from the date on which the Department's notice of dismissal or default is issued until 30 days after ~~to~~ the date on which the Commission's order is served on the chief legal counsel of the Department entered.

(E) The changes made to this Section by Public Act 95-243 apply to charges or complaints filed with the Department or Commission on or after the effective date of those changes.

(F) The changes made to this Section by this amendatory Act of the 96th General Assembly apply to charges or complaints filed with the Department or Commission on or after the effective date of those changes.

(G) The changes made to this Section by this amendatory Act of the 100th General Assembly apply to charges filed or pending with the Department or Commission on or after the effective date of this amendatory Act of the 100th General Assembly.

(Source: P.A. 100-1066, eff. 8-24-18.)

(775 ILCS 5/8A-102) (from Ch. 68, par. 8A-102)

Sec. 8A-102. Hearing on Complaint.

(A) Services. Within five days after a complaint is filed by the Department, or the aggrieved party, as the case may be, the Commission shall cause it to be served on the respondent together with a notice of hearing before a hearing officer of the Commission at a place therein fixed.

(B) Time and Location of Hearing. An initial hearing date shall be scheduled for not less than 30 ~~thirty~~ nor more than 90 ~~ninety~~ days after service of the complaint at a place that is within 100 ~~one hundred~~ miles of the place at which the civil rights violation is alleged to have occurred. The hearing officer may, for good cause shown, extend the date of the hearing.

(B-5) Intervention by the Department.

(1) After the filing of a complaint under Article 2, 4, 5, 5A, or 6, the Department may petition and shall be permitted to intervene as a party in the proceeding if the Commission determines that:

(i) the Department has an interest different from one or more of the parties;

(ii) the expertise of the Department makes it better suited to articulate a particular point of view; or

(iii) the representation of the Department's interest by existing parties is or may be inadequate and the Department will or may be bound by an order or judgment in the action.

(2) The Department, as an intervenor, shall have all of the rights of an original party subject to the order of the administrative law judge.

(3) Upon such intervention, the Commission may award such relief as is authorized to be granted to a complainant under Section 8A-104.

(C) Amendment.

(1) A complaint may be amended under oath by leave of the presiding hearing officer, for good cause shown, upon timely written motion and reasonable notice to all interested parties at any time prior to the issuance of a recommended order pursuant to Section 8A-102(I) or 8B-102(J). The amended complaint shall be served upon all parties of record and the Department of Human Rights by

the complainant, or by the Department if it prepared and filed the amended complaint, within 7 days of the date of the order permitting its filing or such additional time as the hearing officer may order. Amendments to the complaint may encompass any unlawful discrimination which is like or reasonably related to the charge and growing out of the allegations in such charge, including, but not limited to, allegations of retaliation.

(2) A motion that the complaint be amended to conform to the evidence, made prior to the close of the public hearing, may be addressed orally on the record to the hearing officer, and shall be granted for good and sufficient cause.

(D) Answer.

(1) The respondent shall file an answer under oath or affirmation to the original or amended complaint within 30 days of the date of service thereof, but the hearing officer may, for good cause shown, grant further time for the filing of an answer.

(2) When the respondent files a motion to dismiss the complaint within 30 days and the motion is denied by the hearing officer, the time for filing the answer shall be within 15 days of the date of denial of the motion.

(3) Any allegation in the complaint which is not denied or admitted in the answer is deemed admitted unless the respondent states in the answer that the respondent ~~he~~ is without sufficient knowledge or information to form a belief with respect to such allegation.

(4) The failure to file an answer is deemed to constitute an admission of the allegations contained in the complaint.

(5) The respondent has the right to amend the respondent's ~~his~~ answer, upon leave of the hearing officer, for good cause shown.

(E) Proceedings In Forma Pauperis.

(1) If the hearing officer is satisfied that the complainant or respondent is a poor person, and unable to prosecute or defend the complaint and pay the costs and expenses thereof, the hearing officer may permit the party to commence and prosecute or defend the action as a poor person. Such party shall have all the necessary subpoenas, appearances, and proceedings without prepayment of witness fees or charges. Witnesses shall attend as in other cases under this Act and the same remedies shall be available for failure or refusal to obey the subpoena as are provided for in Section 8-104 of this Act.

(2) A person desiring to proceed without payment of fees or charges shall file with the hearing officer an affidavit stating that the person ~~he~~ is a poor person and unable to pay costs, and that the action is meritorious.

(F) Discovery. The procedure for obtaining discovery of information from parties and witnesses shall be specified by the Commission in rules. If no rule has been promulgated by the Commission on a particular type of discovery, the Code of Civil Procedure may be considered persuasive authority. The types of discovery shall be the same as in civil cases in the circuit courts of this State, provided, however, that a party may take discovery depositions only upon leave of the hearing officer and for good cause shown.

(G) Hearing.

(1) Both the complainant and the respondent may appear at the hearing and examine and cross-examine witnesses.

(2) The testimony taken at the hearing shall be under oath or affirmation and a transcript shall be made and filed in the office of the Commission.

(3) The testimony taken at the hearing is subject to the same rules of evidence that apply in courts of this State in civil cases.

(H) Compelling Appearance of Parties at Hearing. The appearance at the hearing of a party or a person who at the time of the hearing is an officer, director, or employee of a party may be required by serving the party with a notice designating the person who is required to appear. The notice also may require the production at the hearing of documents or tangible things. If the party or person is a nonresident of the county, the hearing officer may order any terms and conditions in connection with the party's or person's ~~his~~ appearance at the hearing that are just, including payment of the party's or person's ~~his~~ reasonable expenses. Upon a failure to comply with the notice, the hearing officer may enter any order that is just.

(I) Decision.

(1) When all the testimony has been taken, the hearing officer shall determine whether the respondent has engaged in or is engaging in the civil rights violation with respect to the person

aggrieved as charged in the complaint. A determination sustaining a complaint shall be based upon a preponderance of the evidence.

(2) The hearing officer shall make findings of fact in writing and, if the finding is against the respondent, shall issue and cause to be served on the parties and the Department a recommended order for appropriate relief as provided by this Act.

(3) If, upon all the evidence, the hearing officer finds that a respondent has not engaged in the discriminatory practice charged in the complaint or that a preponderance of the evidence does not sustain the complaint, the hearing officer ~~he~~ shall state the hearing officer's ~~his~~ findings of fact and shall issue and cause to be served on the parties and the Department a recommended order dismissing the complaint.

(4) The findings and recommended order of the hearing officer shall be filed with the Commission. The findings and recommended order may be authored by a hearing officer other than the hearing officer who presides at the public hearing if:

(a) the hearing officer who presides at the public hearing is unable to author the findings and recommended order by reason of death, disability, or separation from employment; and

(b) all parties to a complaint file a joint motion agreeing to have the findings and recommended order written by a hearing officer who did not preside at the public hearing.

(5) A recommended order dismissing a complaint may include an award of reasonable attorneys fees in favor of the respondent against the complainant or the complainant's attorney, or both, if the hearing officer concludes that the complaint was frivolous, unreasonable or groundless or that the complainant continued to litigate after it became clearly so.

(6) The hearing officer may issue a recommended order of dismissal with prejudice or a recommended order of default as a sanction for the failure of a party to prosecute the party's ~~his or her~~ case, file a required pleading, appear at a hearing, or otherwise comply with this Act, the rules of the Commission, or a previous order of the hearing officer.

(Source: P.A. 92-472, eff. 1-1-02.)

(775 ILCS 5/10-101) (from Ch. 68, par. 10-101)

Sec. 10-101. Applicability. With the exception of Sections ~~Section~~ 10-104 and 10-105, this Article shall apply solely to civil actions arising under Article 3 of this Act.

(Source: P.A. 93-1017, eff. 8-24-04.)

(775 ILCS 5/10-102) (from Ch. 68, par. 10-102)

Sec. 10-102. Court Actions.

(A) Circuit Court Actions.

(1) An aggrieved party may commence a civil action in an appropriate Circuit Court not later than 2 years after the occurrence or the termination of an alleged civil rights violation or the breach of a conciliation or settlement agreement entered into under this Act, whichever occurs last, to obtain appropriate relief with respect to the alleged civil rights violation or breach. The plaintiff or defendant may demand trial by jury for civil actions brought under this subsection. Venue for such civil action shall be determined under Section 8-111(A)(1).

(2) The computation of such 2-year period shall not include any time during which an administrative proceeding under this Act was pending with respect to a complaint or charge under this Act based upon the alleged civil rights violation. This paragraph does not apply to actions arising from a breach of a conciliation or settlement agreement.

(3) An aggrieved party may commence a civil action under this subsection whether or not a charge has been filed under Section 7B-102 and without regard to the status of any such charge, however, if the Department or local agency has obtained a conciliation or settlement agreement with the consent of an aggrieved party, no action may be filed under this subsection by such aggrieved party with respect to the alleged civil rights violation practice which forms the basis for such complaint except for the purpose of enforcing the terms of such conciliation or settlement agreement.

(4) An aggrieved party shall not commence a civil action under this subsection with respect to an alleged civil rights violation which forms the basis of a complaint issued by the Department if a hearing officer has commenced a hearing on the record under Article 3 of this Act with respect to such complaint.

(B) Appointment of Attorney by Court. Upon application by a person alleging a civil rights violation or a person against whom the civil rights violation is alleged, if in the opinion of the court such person is financially unable to bear the costs of such action, the court may:

[May 3, 2023]

(1) appoint an attorney for such person, any attorney so appointed may petition for an award of attorneys fees pursuant to subsection (C)(2) of this Section; or

(2) authorize the commencement or continuation of a civil action under subsection (A) without the payment of fees, costs, or security.

(C) Relief which may be granted.

(1) In a civil action under subsection (A) if the court finds that a civil rights violation has occurred or is about to occur, the court may award to the plaintiff actual and punitive damages, and may grant as relief, as the court deems appropriate, any permanent or preliminary injunction, temporary restraining order, or other order, including an order enjoining the defendant from engaging in such civil rights violation or ordering such affirmative action as may be appropriate.

(2) In a civil action under subsection (A), the court, in its discretion, may allow the prevailing party, other than the State of Illinois, reasonable attorneys fees and costs. The State of Illinois shall be liable for such fees and costs to the same extent as a private person.

~~(D) Intervention by the Attorney General By The Department. If the Department certifies that the case is of general public importance, the The Attorney General of Illinois may seek to intervene on behalf of the Department in a civil action filed by a complainant in State or federal court under this Section if the Department certifies that the case is of general public importance. Upon such intervention, the court may award any of the remedies set forth in Section 8B-104 and subsection (B) of Section 10-104 such relief as is authorized to be granted to a plaintiff in a civil action under Section 10-102(C).~~

(Source: P.A. 101-661, eff. 4-2-21; 102-706, eff. 4-22-22.)

(775 ILCS 5/10-105 new)

Sec. 10-105. Intervention by the Attorney General. If the Department certifies that the case is of general public importance, the Attorney General may seek to intervene on behalf of the Department in a civil action filed by a complainant in State or federal court under Section 7A-102. Upon such intervention, the court or jury may award any of the remedies set forth in Section 8A-104 and subsection (B) of Section 10-104."

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

At the hour of 12:21 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 12:28 o'clock p.m., the Senate resumed consideration of business.
Senator Aquino, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its May 3, 2023 meeting, reported that the Committee recommends that **Senate Bill No. 2357** be re-referred from the Committee on Education to the Committee on Assignments.

Senator Lightford, Chair of the Committee on Assignments, during its May 3, 2023 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Behavioral and Mental Health: **Floor Amendment No. 1 to House Bill 1364.**

Education: **Committee Amendment No. 1 to House Bill 2392.**

Environment and Conservation: **Senate Bill No. 2357; Floor Amendment No. 2 to Senate Bill 1555; Floor Amendment No. 7 to Senate Bill 1769; Committee Amendment No. 1 to Senate Bill 2357; Committee Amendment No. 2 to Senate Bill 2357; Committee Amendment No. 1 to House Bill 3508.**

Executive: **House Bill No. 3144; Floor Amendment No. 1 to Senate Bill 764; Floor Amendment No. 1 to Senate Bill 1071; Committee Amendment No. 1 to House Bill 2222; Committee Amendment No. 1 to House Bill 3129.**

Licensed Activities: **Floor Amendment No. 3 to House Bill 2077.**

State Government: **Floor Amendment No. 1 to Senate Bill 851; Floor Amendment No. 3 to House Bill 2412.**

Transportation: **Floor Amendment No. 3 to House Bill 3436.**

Special Committee on Criminal Law and Public Safety: **Committee Amendment No. 1 to House Bill 3779.**

Pursuant to Senate Rule 3-8 (b-1), the following amendment will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 1070.**

Senator McClure asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:31 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 1:08 o'clock p.m., the Senate resumed consideration of business.
Senator Aquino, presiding.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 6

WHEREAS, Heirs' property is defined by the United States Department of Agriculture as land that has been passed down informally from generation to generation without clear title or documented legal ownership; every heir has rights to the property, but the lack of a clear title creates confusion regarding taxes, the use of the land, and the ability to sell the land; and

WHEREAS, Without much trust in the legal system, many of the African American farmers who purchased or were deeded land after the Civil War died without a will, and the property was passed down informally; each successive generation of heirs further divided the title to the property and complicated the heirs' ability to determine the legal owners of the property; and

WHEREAS, Some of the consequences that the heirs' property owners face are disagreements over which heirs have the right to occupy the land and how the land may be used, difficulty selling the property due to a lack of a clear title, the exclusion from some governmental support programs, including disaster relief funds, the inability to claim the land as an asset to obtain a mortgage or other loan, and the loss of land due to disagreements over responsibility for the payment of taxes; and

[May 3, 2023]

WHEREAS, Heirs' property is the leading cause of involuntary land loss among African Americans, and the United States Department of Agriculture reported the loss of 80 percent of the land owned by African American farm owners since 1910; the rate of African American land loss has been far greater than for other racial and ethnic groups in the same time period; it remains a continuing and systemic problem, as it is a significant factor in the wealth gap between white and African American populations, with African Americans having ten percent of the wealth of white Americans; and

WHEREAS, There is no national data regarding the amount of land held as heirs' property; some organizations have attempted to develop models to estimate the information; it is challenging to obtain specific data because every state and each county within each state compiles real estate ownership data differently; and

WHEREAS, Owning land is significant, especially for African Americans; it allows for increased personal and economic freedom; many Americans, including African Americans, believed that real economic and political independence could only be achieved by owning land; landowners provide economic stability within their communities through payment of property taxes and support for local business; in addition, they are more likely to be civically engaged, having greater political influence; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is created the Heirs' Property Study Task Force to examine current and prospective methods to address heirs' property issues in Illinois; and be it further

RESOLVED, That the Task Force shall:

- (1) determine the amount of land in Illinois that is subject to the heirs' property system;
- (2) study the impacts of federal and State legislation on the partition of the land subject to heirs' property;
- (3) analyze approaches and methods undertaken by other states to address heirs' property and study if those methods could be applied to Illinois; and
- (4) determine the costs heirs' property presents to the economic well-being of Illinois and estimate the benefits of proactive measures taken to address heirs' property; and be it further

RESOLVED, That the Task Force shall be comprised of the following members, who shall serve without compensation:

- (1) 3 members of the House of Representatives appointed by the Speaker of the House, one who shall serve as co-chair;
- (2) 3 members of the House of Representatives appointed by the House Minority Leader;
- (3) 3 members of the Senate appointed by the Senate President, one who shall serve as co-chair;
- (4) 3 members of the Senate appointed by the Senate Minority Leader;
- (5) The Director of the Department of Agriculture or his or her designee;
- (6) The Director of the Housing Development Authority or his or her designee;
- (7) The Director of the Department of Natural Resources or his or her designee; and
- (8) The Director of the Illinois Municipal League or his or her designee appointed by the Governor; and be it further

RESOLVED, The Department of Agriculture shall provide administrative support for the Task Force; and be it further

RESOLVED, That the Task Force shall submit its final report to the General Assembly no later than December 31, 2024, and upon the filing of its final report, is dissolved.

Adopted by the House, May 2, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 6 was referred to the Committee on Assignments.

[May 3, 2023]

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 20

WHEREAS, In 1972, the Ninety-second Congress of the United States of America, at its Second Session, in both houses, by a constitutional majority of two-thirds, adopted the following proposition to amend the Constitution of the United States of America:

"JOINT RESOLUTION RESOLVED BY THE HOUSE OF REPRESENTATIVES AND SENATE OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED (TWO-THIRDS OF EACH HOUSE CONCURRING THEREIN), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE _____

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.""; and

WHEREAS, Article V of the Constitution of the United States sets forth a two-step amending procedure; and

WHEREAS, The first step of the Article V amending procedure is proposal of an amendment either by two-thirds vote of both houses of Congress or by a convention called by application of two-thirds of the States; and

WHEREAS, The second and final step of the Article V amending procedure is ratification of an amendment by three-fourths of the States; and

WHEREAS, The Constitution of the United States does not limit the time for States to ratify an amendment; and

WHEREAS, The time limit within the internal resolution used by Congress in 1972 to propose the Equal Rights Amendment is, thus, without force or effect; and

WHEREAS, The so-called Madison Amendment, relating to Compensation of Members of Congress, is the Twenty-Seventh Amendment to the Constitution of the United States; and

WHEREAS, In 1789, by two-thirds vote of each house of the First Congress, the Madison Amendment completed the proposal step of Article V; and

WHEREAS, Approximately 203 years later, the Madison Amendment completed the ratification step of Article V through ratification by three-fourths of the States; and

WHEREAS, In 1992, having met the requirements of Article V, the Madison Amendment was published and certified by the Administration of President George H.W. Bush as the Twenty-Seventh Amendment to the Constitution of the United States; and

WHEREAS, Following publication of the Madison Amendment, Congress affirmed the Madison Amendment as the Twenty-Seventh Amendment to the Constitution of the United States; and

[May 3, 2023]

WHEREAS, As of January 27, 2020, three-fourths of the States have ratified the Equal Rights Amendment; and

WHEREAS, In contrast to the Madison Amendment which took 203 years to ratify, the Equal Rights Amendment took a mere 48 years to ratify; and

WHEREAS, The Equal Rights Amendment now meets the requirements of Article V of the Constitution of the United States to be added as the Twenty-Eighth Amendment; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the General Assembly urges the Administration of President Joseph R. Biden, Jr. to publish and certify without delay the Equal Rights Amendment as the Twenty-Eighth Amendment to the Constitution of the United States; and be it further

RESOLVED, That the General Assembly urges the Congress of the United States to pass a joint resolution, affirming the Equal Rights Amendment as the Twenty-Eighth Amendment to the Constitution of the United States; and be it further

RESOLVED, That the General Assembly calls on other States to join in this action by passing the same or similar resolutions; and be it further

RESOLVED, That suitable copies of this resolution be transmitted to the President and Vice President of the United States, to Members of the United States Congress, and to the Archivist of the United States.

Adopted by the House, May 2, 2023.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 20 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Peters, **House Bill No. 1496** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 1612** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1612

AMENDMENT NO. 1. Amend House Bill 1612 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Professional Regulation Law of the Civil Administrative Code of Illinois is amended by adding Section 2105-370 as follows:

(20 ILCS 2105/2105-370 new)

Sec. 2105-370. Data on applications. In conjunction with applications for licensure, the Department shall request, and applicants may voluntarily provide, demographic information that includes sex, ethnicity, race, and disability. On or before March 1 of each calendar year, the Department shall publish a report on the Department's website that contains the demographic information it collected the preceding calendar year, the number of applications for licensure and renewal of licensure it received in the preceding calendar year, and the number of applicants who were denied licensure in the preceding calendar year regardless of whether application was made in that calendar year.

Section 99. Effective date. This Act takes effect January 1, 2025."

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

On motion of Senator Peters, **House Bill No. 2223** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 2719** having been printed, was taken up and 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 HOUSE BILL 2719

AMENDMENT NO. 1. Amend House Bill 2719 on page 7, lines 19 through 23, by deleting "and other applicable federal and State laws and regulations. Nothing in this Section is intended to extend the enforcement authority of the Office of the Attorney General beyond any authority not otherwise granted".

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

On motion of Senator Peters, **House Bill No. 2826** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 3227** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 3563** having been printed, was taken up and read by title a second time.

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 3563

AMENDMENT NO. 1. Amend House Bill 3563 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Innovation and Technology Act is amended by adding Section 1-80 as follows:

(20 ILCS 1370/1-80 new)

Sec. 1-80. Generative AI and Natural Language Processing Task Force.

(a) As used in this Section, "Task Force" means the Generative AI and Natural Language Processing Task Force established by this Section.

(b) The Department shall establish the Generative AI and Natural Language Processing Task Force. The Task Force shall investigate and provide a report on generative artificial intelligence software and natural language processing software.

(c) The Task Force shall be composed of all of the following members:

(1) One member appointed by the Speaker of the House of Representatives, who shall serve as a co-chairperson.

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

(3) One member appointed by the President of the Senate, who shall serve as a co-chairperson.

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

(5) The Secretary of the Department of Innovation and Technology or his or her designee.

(6) The State Superintendent of Education or his or her designee.

(7) The Executive Director of the Illinois Community College Board or his or her designee.

(8) The Executive Director of the Board of Higher Education or his or her designee.

(9) Two teachers recommended by a statewide association representing teachers, appointed by the Governor.

(10) Two principals recommended by a statewide principals association, appointed by the Governor.

[May 3, 2023]

- (11) Two experts on cybersecurity, appointed by the Governor.
- (12) Two experts on artificial intelligence, appointed by the Governor.
- (13) Two members of statewide business associations, appointed by the Governor.
- (14) The Statewide Chief Information Security Officer or his or her designee.
- (15) Two members of statewide labor associations, appointed by the Governor.

(d) The Task Force shall hold at least 5 public meetings in a hybrid format, with both virtual and in-person options to attend. Of those required 5 meetings one shall be held in each of the following locations:

- (1) Chicago;
- (2) Springfield;
- (3) the Metro East region;
- (4) the Quad Cities region; and
- (5) Southern Illinois.

(e) The responsibilities of the Task Force shall include all of the following:

- (1) recommending legislation or regulations to protect consumer information as it relates to this kind of generative artificial intelligence;
- (2) recommending model policies for schools to address the use of generative artificial intelligence by students in the classroom;
- (3) assessing the use of generative artificial intelligence to improve delivery of public services;
- (5) protecting civil rights and civil liberties of individuals and consumers as it relates to generative artificial intelligence;
- (6) assessing the use of generative artificial intelligence in the workforce and how this could affect employment levels, types of employment, and the deployment of workers;
- (7) assessing the challenges of generative artificial intelligence for cybersecurity; and
- (8) other topics related to generative artificial intelligence software and natural language processing software that may arise from testimony or reports to the Task Force submitted by its members or the public.

(f) The Department shall provide administrative and technical support to the Task Force.

(g) The Task Force shall file a report by December 31, 2024 with the Governor and the General Assembly covering the Task Force's investigation into generative artificial intelligence software and natural language processing software and the Task Force's responsibilities under subsection (e).

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 bill, as amended, was ordered to a third reading.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Joyce moved that **Senate Joint Resolution No. 7**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Joyce moved that Senate Joint Resolution No. 7 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Loughran Cappel	Stoller
Aquino	Gillespie	Martwick	Syverson
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.

Cervantes	Harriss, E.	Pacione-Zayas	Ventura
Chesney	Hastings	Peters	Villa
Cunningham	Holmes	Plummer	Villanueva
Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Rose	
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	
Fine	Lightford	Stadelman	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Bennett moved that **Senate Joint Resolution No. 22**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Bennett moved that Senate Joint Resolution No. 22 be adopted.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator N. Harris, **House Bill No. 2145** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator N. Harris, **House Bill No. 2531** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator N. Harris, **House Bill No. 3646** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 3733** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 3768** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3768

AMENDMENT NO. 1. Amend House Bill 3768, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Uniform Racial Classification Act is amended by changing Section 5 as follows:

(20 ILCS 50/5)

Sec. 5. Uniform racial classification.

(a) Notwithstanding any other provision of law, except as otherwise required by federal law or regulation, whenever a State agency is required by law to compile or report statistical data using racial or ethnic classifications, that State agency shall use the following classifications: (i) White; (ii) Black or

African American; (iii) American Indian or Alaska Native; (iv) Asian; (v) Native Hawaiian or Other Pacific Islander; ~~or~~ (vi) Hispanic or Latino ; or (vii) Middle Eastern or North African.

(b) A State agency is not required to use the classification added to this Section by this amendatory Act of the 103rd General Assembly for reporting workforce or hiring data until after July 1, 2025.

(c) For the purposes of this Act, "State agency" means the offices of the constitutional officers identified in Article V of the Illinois Constitution, executive agencies, and departments, boards, commissions, and authorities under the Governor.

(Source: P.A. 98-982, eff. 8-18-14.)

Section 10. The Data Governance and Organization to Support Equity and Racial Justice Act is amended by changing Section 20-15 as follows:

(20 ILCS 65/20-15)

Sec. 20-15. Data Governance and Organization to Support Equity and Racial Justice.

(a) On or before July 1, 2022 and each July 1 thereafter, the Board and the Department shall report statistical data on the racial, ethnic, age, sex, disability status, sexual orientation, gender identity, and primary or preferred language demographics of program participants for each major program administered by the Board or the Department. Except as provided in subsection (b), when reporting the data required under this Section, the Board or the Department shall use the same racial and ethnic classifications for each program, which shall include, but not be limited to, the following:

- (1) American Indian and Alaska Native alone.
- (2) Asian alone.
- (3) Black or African American alone.
- (4) Hispanic or Latino of any race.
- (5) Native Hawaiian and Other Pacific Islander alone.
- (6) White alone.
- (7) Middle Eastern or North African.
- ~~(8) (7) Some other race alone.~~
- ~~(9) (8) Two or more races.~~

The Board and the Department may further define, by rule, the racial and ethnic classifications, including, if necessary, a classification of "No Race Specified".

(b) (c) If a program administered by the Board or the Department is subject to federal reporting requirements that include the collection and public reporting of statistical data on the racial and ethnic demographics of program participants, the Department may maintain the same racial and ethnic classifications used under the federal requirements if such classifications differ from the classifications listed in subsection (a).

(c) (d) The Department of Innovation and Technology shall assist the Board and the Department by establishing common technological processes and procedures for the Board and the Department to:

- (1) Catalog data.
- (2) Identify similar fields in datasets.
- (3) Manage data requests.
- (4) Share data.
- (5) Collect data.
- (6) Improve and clean data.
- (7) Match data across the Board and Departments.
- (8) Develop research and analytic agendas.
- (9) Report on program participation disaggregated by race and ethnicity.
- (10) Evaluate equitable outcomes for underserved populations in Illinois.
- (11) Define common roles for data management.
- (12) Ensure that all major programs can report disaggregated data by race, ethnicity, age, sex, disability status, sexual orientation, and gender identity, and primary or preferred language.

The Board and the Department shall use the common technological processes and procedures established by the Department of Innovation and Technology.

(d) (e) If the Board or the Department is unable to begin reporting the data required by subsection (a) by July 1, 2022, the Board or the Department shall state the reasons for the delay under the reporting requirements.

(e) ~~(f)~~ By no later than March 31, 2022, the Board and the Department shall provide a progress report to the General Assembly to disclose: (i) the programs and datasets that have been cataloged for which race, ethnicity, age, sex, disability status, sexual orientation, gender identity, and primary or preferred language have been standardized; and (ii) to the extent possible, the datasets and programs that are outstanding for each agency and the datasets that are planned for the upcoming year. On or before March 31, 2023, and each year thereafter, the Board and the Department ~~Departments~~ shall provide an updated report to the General Assembly.

(f) ~~(g)~~ By no later than October 31, 2021, the Governor's Office shall provide a plan to establish processes for input from the Board and the Department into processes outlined in subsection (c) ~~(d)~~. The plan shall incorporate ongoing efforts at data interoperability within the Department and the governance established to support the P-20 Longitudinal Education Data System enacted by Public Act 96-107.

(g) ~~(h)~~ Nothing in this Section shall be construed to limit the rights granted to individuals or data sharing protections established under existing State and federal data privacy and security laws. (Source: P.A. 101-654, eff. 3-8-21; 102-543, eff. 8-20-21; revised 2-4-23)."

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

On motion of Senator Villivalam, **House Bill No. 1187** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 2091** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 2235** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 3424** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 3516** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3516

AMENDMENT NO. 1. Amend House Bill 3516 by replacing everything after the enacting clause with the following:

"Section 5. The Employee Blood Donation Leave Act is amended by changing Sections 1, 3, 5, and 10 as follows:

(820 ILCS 149/1)

Sec. 1. Short title. This Act may be cited as the Employee Blood and Organ Donation Leave Act.

(Source: P.A. 94-33, eff. 1-1-06.)

(820 ILCS 149/3)

Sec. 3. Purpose. This Act is intended to provide time off with pay to allow employees of units of local government, boards of election commissioners, or private employers in the State of Illinois to donate blood or an organ.

(Source: P.A. 97-333, eff. 8-12-11.)

(820 ILCS 149/5)

Sec. 5. Definitions. As used in this Act:

"Employer" means any unit of local government, board of election commissioners, or any private employer in the State who has 51 or more employees.

"Department" means the Department of Public Health.

"Organ" means any biological tissue of the human body that may be donated by a living donor, including, but not limited to, the kidney, liver, lung, pancreas, intestine, bone, and skin or any subpart thereof.

"Participating employee" means a full-time employee who has been employed by an employer for a period of 6 months or more and who donates blood or an organ.
(Source: P.A. 94-33, eff. 1-1-06.)

(820 ILCS 149/10)

Sec. 10. Paid leave for blood donation; administration.

(a) On request, a participating employee subject to this Act may be entitled to ~~blood donation~~ leave with pay to donate blood or an organ.

(b) An employee may use up to one hour, or more if authorized by the employer or a collective bargaining agreement, to donate blood every 56 days in accordance with appropriate medical standards established by the American Red Cross, America's Blood Centers, the American Association of Blood Banks, or other nationally recognized standards.

(b-5) An employee may use up to 10 days of leave in any 12-month period to serve as an organ donor.

(c) A participating employee may use the leave authorized in subsection (b) or (b-5) of this Section only after obtaining approval from the employer.

(d) The Department must adopt rules governing ~~blood donation~~ leave taken to donate blood or an organ, including rules that (i) establish conditions and procedures for requesting and approving leave and (ii) require medical documentation of the proposed blood or organ donation before leave is approved by the employer.

(Source: P.A. 94-33, eff. 1-1-06; 94-1084, eff. 6-1-07)."

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

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Murphy, **House Bill No. 2789** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, 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 39; NAYS 19.

The following voted in the affirmative:

Aquino	Gillespie	Koehler	Simmons
Belt	Glowiak Hilton	Lightford	Sims
Castro	Halpin	Loughran Cappel	Stadelman
Cervantes	Harris, N.	Martwick	Turner, D.
Cunningham	Hastings	Morrison	Ventura
Edly-Allen	Holmes	Murphy	Villa
Ellman	Hunter	Pacione-Zayas	Villanueva
Faraci	Johnson	Peters	Villivalam
Feigenholtz	Jones, E.	Porfirio	Mr. President
Fine	Joyce	Preston	

The following voted in the negative:

Anderson	DeWitte	McConchie	Syverson
Bennett	Fowler	Plummer	Tracy
Bryant	Harriss, E.	Rezin	Turner, S.
Chesney	Lewis	Rose	Wilcox
Curran	McClure	Stoller	

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.

[May 3, 2023]

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Villa moved that **Senate Resolution No. 221**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Villa moved that Senate Resolution No. 221 be adopted.

The motion prevailed.

And the resolution was adopted.

ANNOUNCEMENT

The Chair announced that the deadline to file Floor Amendments is this Friday, May 5, 2023 at 3:00 o'clock p.m.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to House Bill 2443

Amendment No. 2 to House Bill 3017

Amendment No. 1 to House Bill 3095

Amendment No. 1 to House Bill 3314

Amendment No. 4 to House Bill 3436

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

Amendment No. 2 to House Bill 1497

Amendment No. 1 to House Bill 2365

At the hour of 2:21 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, May 4, 2023, at 12:30 o'clock p.m.