



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED FOURTH GENERAL
ASSEMBLY**

89TH LEGISLATIVE DAY

TUESDAY, APRIL 14, 2026

12:17 O'CLOCK P.M.

SENATE
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89th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Linda Holmes, Aurora, Illinois, presiding.
 Prayer by Dr. Driss El-Akrich, Islamic Society of Greater Springfield, Springfield, Illinois.
 Senator Johnson led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, March 11, 2026, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, March 12, 2026, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, March 24, 2026, was being read when on motion of Senator Glowiak Hilton, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Glowiak Hilton moved that reading and approval of the Journals of Thursday, March 26, 2026 and Friday, April 10, 2026, be postponed, pending arrival of the printed Journals.
 The motion prevailed.

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 712
 Amendment No. 2 to Senate Bill 2748
 Amendment No. 1 to Senate Bill 2772
 Amendment No. 2 to Senate Bill 2891
 Amendment No. 2 to Senate Bill 3183
 Amendment No. 3 to Senate Bill 3314
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 Amendment No. 1 to Senate Bill 3465
 Amendment No. 1 to Senate Bill 3467
 Amendment No. 1 to Senate Bill 3510
 Amendment No. 2 to Senate Bill 3524
 Amendment No. 2 to Senate Bill 3561
 Amendment No. 1 to Senate Bill 3562
 Amendment No. 1 to Senate Bill 3936
 Amendment No. 1 to Senate Bill 4040

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

Amendment No. 2 to Senate Bill 3037
 Amendment No. 1 to Senate Bill 3329
 Amendment No. 2 to Senate Bill 3336
 Amendment No. 2 to Senate Bill 3627
 Amendment No. 1 to Senate Bill 3977
 Amendment No. 2 to Senate Bill 4038

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Arcola Police Department.

ISP FOID Card Review Board Court Decisions Report, submitted by the Illinois State Police.

Reporting Requirement of 50 ILCS 707/20 (Law Enforcement Camera Grant Act), submitted by the Shorewood Police Department.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

MESSAGE FROM THE PRESIDENT

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

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

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

April 14, 2026

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Ram Villivalam to temporarily replace Senator Bill Cunningham as a member of the Senate Assignments Committee. This appointment will expire upon adjournment of the Senate Assignments Committee on April 14, 2026.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

MESSAGES FROM THE GOVERNOR

**OFFICE OF THE GOVERNOR
207 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706**

**JB PRITZKER
GOVERNOR**

[April 14, 2026]

April 10, 2026

To the Honorable
Members of the Senate
One-Hundred and Fourth General Assembly

Mr. President:

On July 7, 2025, Appointment Message 104-247 nominating Edward N. Lee as an Arbitrator of the Workers' Compensation Commission was delivered to your Honorable Body. As of the date of this letter, it is my understanding that the Senate has not taken action on this nomination.

Please be advised that the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn, effective on December 31, 2025.

Sincerely,
s/JB Pritzker
Governor

**OFFICE OF THE GOVERNOR
207 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706**

**JB PRITZKER
GOVERNOR**

April 10, 2026

To the Honorable
Members of the Senate
One-Hundred and Fourth General Assembly

Mr. President:

On July 7, 2025, Appointment Message 104-250 nominating Khama A. Sharp as an Arbitrator of the Workers' Compensation Commission was delivered to your Honorable Body. As of the date of this letter, it is my understanding that the Senate has not taken action on this nomination.

Please be advised that the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn, effective October 3, 2025.

Sincerely,
s/JB Pritzker
Governor

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 718

Offered by Senator McClure and all Senators:
Mourns the death of Marleen Kay King.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

[April 14, 2026]

PRESENTATION OF RESOLUTIONS

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

SENATE JOINT RESOLUTION NO. 61

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to truly great individuals who have served our country and, in doing so, have made the ultimate sacrifice for our nation; and

WHEREAS, Chief Warrant Officer 2 Christopher B. Donaldson, the son of Bill and Lynne Laue Donaldson, was born in Effingham on May 17, 1977; and

WHEREAS, CW2 Donaldson graduated from Effingham High School in 1995; and

WHEREAS, CW2 Donaldson enlisted in the U.S. Army on September 12, 1997, becoming a pilot and rising to the rank of chief warrant officer 2; and

WHEREAS, CW2 Donaldson completed tours in Korea and Germany before serving with the 10th Mountain Division during Operation Enduring Freedom in Afghanistan in 2006; and

WHEREAS, CW2 Donaldson was killed in a helicopter crash while on a rescue mission in the Kunar Province of Afghanistan on May 5, 2006; and

WHEREAS, CW2 Donaldson was awarded the Bronze Star, the Air Medal, the Global War on Terrorism Service Medal, the Afghanistan Campaign Medal, the Kosovo Campaign Medal, the NATO Medal, two Army Commendation Medals, the Army Good Conduct Medal, the National Defense Service Medal, the Noncommissioned Officer's Professional Development Ribbon, the Army Service Ribbon, two Overseas Service Ribbons, the Expert Marksmanship Qualification Badge for grenade, and the Sharpshooter Badge for rifle; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the Fourth Street Interstates 57 and 70 Overpass in Effingham as the "Chief Warrant Officer 2 Christopher Donaldson Memorial Overpass"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Chief Warrant Officer 2 Christopher Donaldson Memorial Overpass"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of CW2 Donaldson, the Mayor of Effingham, and the Secretary of the Illinois Department of Transportation.

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

SENATE JOINT RESOLUTION NO. 62

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to truly great individuals who have served our country and, in doing so, have made the ultimate sacrifice for our nation; and

WHEREAS, Sergeant Timothy D. Sayne, the son of Mary "Kathy" Even Sayne and Robert Sayne, was born in Henderson, Kentucky on November 28, 1979; he graduated from Effingham High School; he married Thania Agustin in Reno, Nevada on October 17, 2009; and

[April 14, 2026]

WHEREAS, Sgt. Sayne began serving in the United States Army in 2008; he was stationed in Alaska, and he was assigned to B Troop, 5-1 Calvary, 1/25 Stryker Brigade Combat Team (SBCT), 25th Infantry Division; and

WHEREAS, Sgt. Sayne was killed in action during an insurgent attack in Shah Wali Kot, Kandahar Province, Afghanistan during Operation Enduring Freedom on September 18, 2011; and

WHEREAS, Sgt. Sayne was the father of Timothy Calvin and the brother of Cory (Jamie) Sayne, Joey (Desiree) Sayne, and Paige (George) Huntington; and

WHEREAS, Sgt. Sayne was known as a devoted father who was proud to serve his country; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that we designate the Fayette Avenue Interstates 57 and 70 Overpass in Effingham as the "Sgt. Timothy Sayne Memorial Overpass"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Sgt. Timothy Sayne Memorial Overpass"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Sgt. Sayne and the Secretary of the Illinois Department of Transportation.

INTRODUCTION OF BILL

SENATE BILL NO. 4186. Introduced by Senator Balkema, a bill for AN ACT concerning appropriations.

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. 1040463

To the Honorable Members of the Senate, One Hundred Fourth 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: Commission on Discrimination and Hate Crimes

Start Date: April 13, 2026

End Date: March 1, 2029

Name: Joyce Chinenye Ozeh

County of Residence: Cook

[April 14, 2026]

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Graciela Guzmán

Most Recent Holder of Office: Channyn Parker

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040464

To the Honorable Members of the Senate, One Hundred Fourth 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: Health Facilities and Services Review Board

Start Date: March 30, 2026

End Date: June 30, 2028

Name: Gary E. Kaatz

County of Residence: Winnebago

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dave Syverson

Most Recent Holder of Office: Gary Kaatz

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040465

To the Honorable Members of the Senate, One Hundred Fourth 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 Forensic Science Commission

Start Date: March 30, 2026

End Date: January 31, 2030

Name: Jillian A. Baker

County of Residence: DuPage

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Suzy Glowiak Hilton

Most Recent Holder of Office: Jillian Baker

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040466

To the Honorable Members of the Senate, One Hundred Fourth 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 Forensic Science Commission

Start Date: March 30, 2026

End Date: January 31, 2030

Name: Jeffrey Buford

County of Residence: Cook

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: Jeffrey Buford

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040467

To the Honorable Members of the Senate, One Hundred Fourth 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 Workforce Innovation Board

[April 14, 2026]

Start Date: April 10, 2026

End Date: July 1, 2027

Name: Jessica Wright

County of Residence: Kane

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Donald P. DeWitte

Most Recent Holder of Office: Jessica Wright

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040468

To the Honorable Members of the Senate, One Hundred Fourth 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: Quality Care Board

Start Date: March 27, 2026

End Date: November 2, 2029

Name: Megan Hillary Moser Norlin

County of Residence: Sangamon

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Megan Norlin

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040469

To the Honorable Members of the Senate, One Hundred Fourth 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.

[April 14, 2026]

Title of Office: Member

Agency or Other Body: Western Illinois Economic Development Authority

Start Date: March 27, 2026

End Date: January 19, 2032

Name: Brenda Middendorf

County of Residence: Pike

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Jil Tracy

Most Recent Holder of Office: Earl Godt

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040470

To the Honorable Members of the Senate, One Hundred Fourth 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: Great Lakes-St. Lawrence River Basin Water Resources Council

Start Date: March 27, 2026

End Date: Serves at the pleasure of the Governor

Name: Douglas Ethan Kimbrel

County of Residence: Cook

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040471

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

[April 14, 2026]

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: Great Lakes-St. Lawrence River Basin Water Resources Council

Start Date: March 27, 2026

End Date: Serves at the pleasure of the Governor

Name: Rick Pohlman

County of Residence: Sangamon

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: John Rogner

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040472

To the Honorable Members of the Senate, One Hundred Fourth 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: Great Lakes-St. Lawrence River Basin Water Resources Council

Start Date: March 27, 2026

End Date: Serves at the pleasure of the Governor

Name: Todd Strole

County of Residence: Madison

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Jason Plummer

Most Recent Holder of Office: Loren Wobig

Superseded Appointment Message: Not Applicable

[April 14, 2026]

Appointment Message No. 1040473

To the Honorable Members of the Senate, One Hundred Fourth 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 Museum Board

Start Date: March 27, 2026

End Date: January 15, 2028

Name: Ashish Sharma

County of Residence: DuPage

Annual Compensation: Unsalaries

Per diem: Not Applicable

Nominee's Senator: Senator Karina Villa

Most Recent Holder of Office: Ashish Sharma

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040474

To the Honorable Members of the Senate, One Hundred Fourth 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: Public Administrator and Public Guardian

Agency or Other Body: DeWitt County

Start Date: April 10, 2026

End Date: December 4, 2029

Name: Andrew Weatherford

County of Residence: Macon

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

[April 14, 2026]

Most Recent Holder of Office: Andrew Weatherford

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040475

To the Honorable Members of the Senate, One Hundred Fourth 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: Public Administrator and Public Guardian

Agency or Other Body: Macon County

Start Date: April 10, 2026

End Date: December 4, 2029

Name: Andrew Weatherford

County of Residence: Macon

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Andrew Weatherford

Superseded Appointment Message: Not Applicable

Appointment Message No. 1040476

To the Honorable Members of the Senate, One Hundred Fourth 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: Public Administrator and Public Guardian

Agency or Other Body: Moultrie County

Start Date: April 10, 2026

End Date: December 4, 2029

Name: Andrew Weatherford

County of Residence: Macon

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Andrew Weatherford

Superseded Appointment Message: Not Applicable

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

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 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. 228

A bill for AN ACT concerning business.

HOUSE BILL NO. 5258

A bill for AN ACT concerning public aid.

HOUSE BILL NO. 5487

A bill for AN ACT concerning civil law.

Passed the House, April 9, 2026.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 228, 5258 and 5487** were taken up, ordered printed and placed on first reading.

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 a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 5317

A bill for AN ACT concerning safety.

Passed the House, April 9, 2026.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bill No. 5317** was taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 228, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4235, sponsored by Senator Sims, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4541, sponsored by Senator Martwick, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4667, sponsored by Senator Edly-Allen, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 4829, sponsored by Senator Edly-Allen, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4921, sponsored by Senator Edly-Allen, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4977, sponsored by Senator Ellman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5070, sponsored by Senator Ellman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5136, sponsored by Senator Halpin, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5205, sponsored by Senator D. Turner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5258, sponsored by Senator Hunter, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5281, sponsored by Senator D. Turner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5317, sponsored by Senator Feigenholtz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5487, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5524, sponsored by Senator Stadelman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5595, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

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

AT EASE

At the hour of 12:36 o'clock p.m., the Senate resumed consideration of business.
Senator Holmes, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture: **Senate Bill No. 3116**.

Appropriations: **Committee Amendment No. 2 to Senate Bill 2852**.

[April 14, 2026]

Appropriations- Health and Human Services: **Committee Amendment No. 1 to Senate Bill 4023.**

Appropriations- Public Safety and Infrastructure: **Committee Amendment No. 2 to Senate Bill 3627; Committee Amendment No. 1 to Senate Bill 4041.**

Behavioral and Mental Health: **Floor Amendment No. 1 to Senate Bill 3722.**

Criminal Law: **Committee Amendment No. 2 to Senate Bill 1796; Floor Amendment No. 2 to Senate Bill 3048; Floor Amendment No. 1 to Senate Bill 3333; Floor Amendment No. 2 to Senate Bill 3333; Floor Amendment No. 1 to Senate Bill 3510; Floor Amendment No. 2 to Senate Bill 3597; Floor Amendment No. 1 to Senate Bill 3880.**

Education: **Senate Joint Resolution No. 58; Floor Amendment No. 2 to Senate Bill 2837; Floor Amendment No. 1 to Senate Bill 2914.**

Energy and Public Utilities: **Senate Bills Numbered 3488, 3922 and 4039; Floor Amendment No. 5 to Senate Bill 3104; Floor Amendment No. 1 to Senate Bill 3794.**

Environment and Conservation: **Floor Amendment No. 5 to Senate Bill 3917.**

Executive: **Senate Bills Numbered 1347 and 1700; Committee Amendment No. 1 to Senate Bill 2181; Committee Amendment No. 1 to Senate Bill 2713; Floor Amendment No. 1 to Senate Bill 2772; Floor Amendment No. 2 to Senate Bill 2968; Committee Amendment No. 2 to Senate Bill 3084; Committee Amendment No. 1 to Senate Bill 3329; Committee Amendment No. 1 to Senate Bill 3394; Committee Amendment No. 1 to Senate Bill 3428; Floor Amendment No. 2 to Senate Bill 3449; Floor Amendment No. 3 to Senate Bill 3449; Committee Amendment No. 1 to Senate Bill 3518; Committee Amendment No. 2 to Senate Bill 3518; Committee Amendment No. 1 to Senate Bill 3948; Floor Amendment No. 2 to Senate Bill 3975; Committee Amendment No. 1 to Senate Bill 3977; Committee Amendment No. 1 to Senate Bill 4038; Floor Amendment No. 1 to Senate Bill 4040.**

Financial Institutions: **Floor Amendment No. 2 to Senate Bill 3113.**

Health and Human Services: **Senate Bill No. 3950; Floor Amendment No. 1 to Senate Bill 3322.**

Higher Education: **Floor Amendment No. 2 to Senate Bill 3314; Floor Amendment No. 3 to Senate Bill 3314; Floor Amendment No. 1 to Senate Bill 3737.**

Insurance: **Committee Amendment No. 1 to Senate Bill 2899; Floor Amendment No. 1 to Senate Bill 3114; Floor Amendment No. 1 to Senate Bill 3508; Floor Amendment No. 2 to Senate Bill 3509; Floor Amendment No. 1 to Senate Bill 3815; Committee Amendment No. 1 to Senate Bill 4006.**

Judiciary: **Senate Bill No. 3498; Floor Amendment No. 2 to Senate Bill 2870; Floor Amendment No. 2 to Senate Bill 3066; Floor Amendment No. 2 to Senate Bill 3381; Floor Amendment No. 2 to Senate Bill 3398; Floor Amendment No. 2 to Senate Bill 3524; Floor Amendment No. 2 to Senate Bill 3561; Floor Amendment No. 1 to Senate Bill 3562; Floor Amendment No. 1 to Senate Bill 3568.**

Labor: **Floor Amendment No. 1 to Senate Bill 3465.**

Licensed Activities: **Floor Amendment No. 1 to Senate Bill 712; Floor Amendment No. 2 to Senate Bill 3223; Committee Amendment No. 1 to Senate Bill 3235; Floor Amendment No. 1 to Senate Bill 3445; Floor Amendment No. 2 to Senate Bill 3897; Floor Amendment No. 3 to Senate Bill 3897.**

Local Government: **Floor Amendment No. 2 to Senate Bill 3076.**

Pensions: **Floor Amendment No. 1 to Senate Bill 2802.**

Public Health: **Senate Resolution No. 701; Floor Amendment No. 1 to Senate Bill 2774; Floor Amendment No. 1 to Senate Bill 3936.**

Revenue: **Senate Bills Numbered 2089, 3065 and 3625; Committee Amendment No. 2 to Senate Bill 2750; Committee Amendment No. 2 to Senate Bill 3169; Committee Amendment No. 1 to Senate Bill 3692; Committee Amendment No. 1 to Senate Bill 3828; Committee Amendment No. 1 to Senate Bill 3934.**

State Government: **Committee Amendment No. 2 to Senate Bill 3037; Floor Amendment No. 2 to Senate Bill 3964.**

Transportation: **Committee Amendment No. 1 to Senate Bill 3336; Committee Amendment No. 2 to Senate Bill 3336.**

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolution No. 700; Senate Joint Resolution No. 35

The foregoing resolutions were placed on the Senate Calendar.

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 661, 671, 677, 685, 686, 697, 698, 703 and 715

The foregoing resolutions were placed on the Congratulatory Consent Calendar.

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, to which was referred **Senate Bills Numbered 503, 504, 646, 647, 653, 806, 807, 853, 854, 855 and 939** on April 11, 2025, pursuant to Rule 3-9(a), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 503, 504, 646, 647, 653, 806, 807, 853, 854, 855 and 939** were returned to the order of third reading.

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, to which was referred **Senate Bills Numbered 75, 566, 567, 596, 597, 598, 714, 715, 716, 804, 805 and 1455** on June 2, 2025, pursuant to Rule 3-9(a), reported that the Committee recommends that the bills be approved for consideration and returned to the calendar in their former position.

The report of the Committee was concurred in.

And **Senate Bills Numbered 75, 566, 567, 596, 597, 598, 714, 715, 716, 804, 805 and 1455** were returned to the order of third reading.

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, to which was referred **Senate Bill No. 2013** on April 11, 2025, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 2013** was returned to the order of second reading.

Pursuant to Senate Rule 3-8 (b-1), the following amendments will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 368, Floor Amendment No. 1 to Senate Bill 553, Floor Amendment No. 1 to Senate Bill 3314 and Floor Amendment No. 1 to Senate Bill 3557.**

LEGISLATIVE MEASURE FILED

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 939

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Education: **Floor Amendment No. 1 to Senate Bill 939.**

Senator Aquino asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

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

At the hour of 12:49 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 2:07 o'clock p.m., the Senate resumed consideration of business.
Senator Holmes, presiding.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Morrison, **Senate Bill No. 2393** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Executive.

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

AMENDMENT NO. 2 TO SENATE BILL 2393

AMENDMENT NO. 2. Amend Senate Bill 2393 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Prohibition of Nicotine Sales Near Schools Act.

Section 5. Definitions. As used in this Act:

"Day care center" has the meaning given to that term in Section 2.09 of the Child Care Act of 1969. "Day care center" does not include day care homes, as defined in Section 2.18 of the Child Care Act of 1969, or group day care homes, as defined in Section 2.20 of the Child Care Act of 1969.

[April 14, 2026]

"Near" means within 500 feet as measured by a straight line from the nearest point of the property line of the parcel on which the school or day care center is located to the nearest point of the property line of the parcel on which the retailer is located.

"Nicotine-containing product" means any product containing any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived. "Nicotine-containing product" includes nicotine alkaloids and nicotine analogs and any substance that mimics or replicates the pharmacological effect of nicotine.

"School" means any (i) elementary or secondary educational institution; (ii) charter school; (iii) vocational school; (iv) special education facility; (v) elementary or secondary educational agency, as defined in Section 10 of the P-20 Longitudinal Education Data System Act; or (vi) nonpublic school, including any nonprofit, non-home-based, and nonpublic elementary or secondary school.

Section 10. County and municipal duties.

(a) Beginning January 1, 2027, a county or municipality may not permit the sale of nicotine-containing products near a school or day care center, unless (i) a county or municipality has adopted an ordinance or regulation that regulates the sale of nicotine-containing products near a school or day care center before January 1, 2027; (ii) the establishment selling nicotine-containing products is established before January 1, 2027; or (iii) the establishment selling nicotine-containing products was not near a school or day care center when it was established.

(b) Any regulation or ordinance adopted by a county or municipality relating to the sale of nicotine-containing products within a specified distance of a school or daycare before January 1, 2027 may remain in effect and is not affected by this Act.

(c) This Section does not apply to establishments in existence before January 1, 2027. An establishment is considered in existence if the physical building remains in the same location and is not not affected if the ownership of the physical building changes. This Section shall not be construed to require an establishment in existence after January 1, 2027 to relocate if a school or day care center is established or relocates near the establishment.

Section 15. Home rule. A home rule county or home rule municipality may not regulate the retail sale of nicotine-containing products near a school or day care center in a manner inconsistent with the requirements of this Act. This Section is a denial and limitation of home rule powers and functions under subsection (i) of Section 6 of Article VII of the Illinois Constitution.

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

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2748** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2748

AMENDMENT NO. 1 . Amend Senate Bill 2748 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Charitable Organization Beneficiary Act.

Section 5. Definitions. As used in this Act:

"Beneficiary designation" means the provision in an instrument designating a beneficiary, other than in a will or an instrument creating a trust, and may also mean the instrument itself, including, but not limited to, any of the following:

- (1) an annuity or insurance policy;
- (2) an account with a designation for payment upon death;
- (3) a security registered in beneficiary form;

(4) a pension, profit-sharing plan, retirement account such as an IRA, 401(k), 403(b), or other employment-related benefit plan; or

(5) any other nonprobate asset transferable upon death.

"Charitable organization" means an entity that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

Section 10. Notice of death of owner of property. If the holder of property that has a beneficiary designation has been notified of the death of the owner of the property, the holder of the property must within 45 business days of the notification provide notice to each charitable organization listed under the beneficiary designation that the charitable organization may have a right to the property and provide the charitable organization with the name of the owner of the property, contact information of the holder of the property, and a general description of the property held for the benefit of the charitable organization and the exact language of the beneficiary designation except that the names of any other beneficiaries that are not charitable organizations may be redacted.

Section 15. Charitable organization affidavit of interest in property.

(a) If a charitable organization is a beneficiary of an interest in property created by beneficiary designation, that charitable organization may present an affidavit to the holder of the property or to any person with information about the property to obtain the property or information regarding the property. The affidavit must state all of the following:

(1) the decedent's name and last known address to the extent known;

(2) a general description of the property to the extent known;

(3) the charitable organization's name, address, and primary contact information;

(4) the charitable organization is a charitable organization;

(5) a request that the property be paid, delivered, or transferred to the charitable organization or that information about the property be given to the charitable organization;

(6) the charitable organization has a right to the interest in the property listed in the affidavit to the extent known;

(7) the affidavit has been signed by an authorized representative of the charitable organization under penalty of perjury before a notary public as provided in the Notary Public Act; and

(8) the information in the affidavit is true and correct to the best of the affiant's knowledge or belief.

(b) The affidavit must be accompanied by all of the following:

(1) a copy of the charitable organization's determination letter from the Internal Revenue Service recognizing its tax-exempt status;

(2) a copy of the charitable organization's Certificate of Good Standing issued by the Secretary of State;

(3) a death certificate of the decedent, probate notice published by the personal representative of the decedent's estate, proof of payment of the decedent's funeral expenses, or the decedent's obituary as verification of the decedent's death;

(4) a corporate resolution or similar statement of authority of the affiant to act on behalf of the charitable organization; and

(5) Internal Revenue Service Form W-9 completed by an authorized representative of the charitable organization.

Section 20. Duties of the holder of the property.

(a) The holder of the property may not do any of the following:

(1) require the charitable organization to establish an account with the holder of the property or otherwise become a customer of the holder of the property;

(2) require co-beneficiaries to submit claims simultaneously or impose coordination deadlines among co-beneficiaries; or

(3) delay payment to any co-beneficiary if other co-beneficiaries have not submitted their claim documentation.

(b) The holder of the property may not request any additional personal information from any individual employed by or serving on the board of the charitable organization, including, but not limited to, any of the following:

- (1) Social security number or driver's license number;
- (2) personal contact information, including home address;
- (3) personal financial information;
- (4) date of birth;
- (5) passport;
- (6) annual income;
- (7) value of personal assets;
- (8) credit checks;
- (9) criminal background checks;
- (10) marital status;
- (11) number of dependents; or
- (12) spouse's maiden name.

(c) Nothing in this Act alters the responsibilities or duties of the beneficiary or holder of the property under the Revised Uniform Unclaimed Property Act or the Unclaimed Life Insurance Benefits Act.

Section 25. Transfer of property. If the requirements of this Act are satisfied, the holder of the property must do either or both of the following:

- (1) Pay, deliver, or transfer the property to or for the benefit of the charitable organization if the affidavit has requested the transfer, payment, or delivery of the property to the charitable organization; or
- (2) Deliver the information requested in the affidavit to the charitable organization.

Section 30. Good faith reliance on information given to the holder. The holder of the property and any person who in good faith delivers the property or information requested in reliance on the information a charitable organization provides under this Act, who has no knowledge that representations contained in the affidavit are incorrect, is not liable to any person for so acting and may assume without inquiry the existence of the facts contained in the affidavit.

Section 35. Failure or refusal of holder of the property to act. If the holder of the property fails or refuses to provide the requested property or information within 60 business days after receiving the affidavit, the charitable organization may bring an action against the holder of the property to receive the information about the property or recover the property or compel the delivery of the property. An action brought under this Act must be brought within one year after the date of the act or failure to act. If the court finds that the holder of the property acted unreasonably in failing to provide the requested information or to pay, deliver, or transfer the property, the court may award to the charitable organization any or all of the following:

- (1) immediate delivery of the requested information or delivery or recovery of the property or value of the property;
- (2) damages sustained by the charitable organization;
- (3) costs of the action;
- (4) a penalty in an amount determined by the court between \$500 and \$10,000; or
- (5) reasonable attorney's fees based on the time expended by the attorney to obtain the requested information or payment, delivery, or transfer of the property without regard to the amount of the recovery on behalf of the charitable organization."

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Morrison, **Senate Bill No. 2838** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2838

AMENDMENT NO. 1. Amend Senate Bill 2838 by replacing everything after the enacting clause with the following:

[April 14, 2026]

"Section 5. The Illinois Insurance Code is amended by adding Sections 356z.88, 370u, and 511.119 as follows:

(215 ILCS 5/356z.88 new)

Sec. 356z.88. Hearing care plans and discounted hearing care plans.

(a) Definitions. In this Section:

"Administrator" means any administrator as defined in Section 370g or 511.101 of this Code.

"Cost sharing" has the meaning given to that term in Section 356z.3a of this Code.

"Covered items" means items for which reimbursement or capitation from an enrollee's hearing care plan is provided to a hearing instrument professional or for which a reimbursement or discount is provided to an enrollee under a hearing care plan or discounted hearing care plan.

"Covered items" includes, but is not limited to, prescription hearing aids, earmolds, domes or inserts, assistive listening devices, and hearing aid supplies and accessories. "Covered items" does not include over-the-counter hearing aids as defined in 21 CFR 800.30(b).

"Covered services" means services for which reimbursement or capitation from an enrollee's hearing care plan is provided to a hearing instrument professional or for which a reimbursement or discount is provided to an enrollee under a hearing care plan or discounted hearing care plan.

"Discounted hearing care benefit" means a hearing care benefit that is offered in a discounted hearing care plan.

"Discounted hearing care plan" means a discounted health care services plan, as defined in 50 Ill. Adm. Code 2051.220, that provides discounts for covered items or services.

"Enrollee" means any individual enrolled in a hearing care plan or a beneficiary of a discounted hearing care plan.

"Excepted benefits" has the meaning given to that term in 42 U.S.C. 300gg-91(c) and federal regulations thereunder.

"Funded hearing care benefit" means hearing care benefits that are offered in the enrollee's hearing care plan contract.

"Health insurance coverage" has the meaning given to that term in Section 5 of the Illinois Health Insurance Portability and Accountability Act.

"Health insurance issuer" has the meaning given to that term in Section 5 of the Illinois Health Insurance Portability and Accountability Act.

"Hearing care benefits" means the covered items or covered services listed or otherwise covered in the contract or plan documents for an enrollee's hearing care plan or discounted hearing care plan.

"Hearing care organization" means a health insurance issuer or administrator formed under the laws of this State or another state that issues or administers a hearing care plan or discounted hearing care plan.

"Hearing care plan" means any policy, certificate, contract, or other plan of health insurance coverage, whether excepted benefits or any other coverage, that provides coverage for covered items and covered services.

"Hearing instrument professional" means a person who is licensed in this State as an audiologist, a hearing instrument dispenser, or a physician.

"Manufacturer" means the legal person, including any business entity or other form of organization, that manufactures and distributes hearing aids, earmolds, domes or inserts, assistive listening devices, and hearing aid supplies and accessories.

"Noncovered items and services" means items and services that are not funded or discounted by the enrollee's hearing care plan or discounted hearing care plan and where the enrollee is fully responsible for the cost of the item or service.

"Prescription hearing aid" means any instrument or device, including an instrument or device dispensed pursuant to a prescription or order, that is designed, intended, or offered for the purpose of improving a person's hearing and any parts, attachments, or accessories, including earmolds.

"Prescription hearing aid" does not include batteries, cords, and individual or group auditory training devices and any instrument or device used by a public utility in providing telephone or other communication services.

"Routine hearing care services" means services that lack medical necessity, such as pass or fail hearing screenings, that are used to determine the need for additional diagnostic hearing testing.

"Subcontractor" means any company, group, or third-party entity, including agents, servants, partially owned or wholly owned subsidiaries, and controlled organizations, that the hearing care organization

contracts with to supply items or service for a hearing instrument professional or enrollee to fulfill the benefit plan of a hearing care plan or discounted hearing care plan.

(b) No hearing care organization that is an issuer or administrator of a hearing care plan or discounted hearing care plan issued, delivered, amended, or renewed on or after the effective date of this amendatory Act of the 104th General Assembly shall issue or renew a contract that requires a hearing instrument professional, as a condition of participation in the hearing care plan or discounted hearing care plan, to provide items or services to an enrollee at a fee set by the hearing care plan or discounted hearing care plan unless the items and services are covered items or covered services under the hearing care plan or discounted hearing care plan.

(c) A hearing instrument professional who chooses not to accept as payment an amount set by a hearing care plan or discounted hearing care plan for items and services that are not covered by the hearing care plan or discounted hearing care plan shall:

(1) post, in a conspicuous place, a notice stating the following: "IMPORTANT: This hearing instrument professional does not accept the fee schedule set by your hearing care plan for hearing care items and services that are not covered benefits under your plan, when the item or service is provided prior to the hearing aid fitting, after one year following the initial fitting of the hearing aids, or after all of the allowed service visits are exhausted. In these cases, the hearing instrument professional may charge his or her usual and customary fees for those items and services. This hearing instrument professional will provide you with an estimated cost for each noncovered item or service in accordance with the No Surprises Act."; or

(2) provide the information required under paragraph (1) in a document provided by the hearing instrument professional to the patient.

(d) Hearing care benefits must be communicated in writing by the hearing care organization to an enrollee, prospective enrollee, and the hearing instrument professional. Covered items and services subject to de minimis reimbursement are not required to be listed in this communication. Noncovered items and noncovered services must be identified in the hearing care plan's marketing materials, contract, and plan documents.

(e) No hearing care organization or its officers, directors, agents, and employees may represent a discount hearing care benefit as a funded hearing care benefit. A hearing care organization must clearly list and document, in the schedule of benefits and in marketing materials and plan documents, the specific cost sharing amounts to hearing care benefits provided by both in-network and out-of-network providers of a hearing care plan or, in the case of a discounted hearing care plan, the specific discounted amounts for the discount hearing care benefits provided by preferred providers.

(f) A hearing care plan or discounted hearing care plan may provide hearing care benefits that include routine hearing care services and medically necessary diagnostic hearing services in accordance with guidance promulgated by the Centers for Medicare and Medicaid Services. If hearing care benefits or discount hearing care benefits include routine hearing testing for the purpose of fitting or modifying a hearing aid, the hearing instrument professional shall be reimbursed, by the hearing care organization, by the enrollee, or by both, as applicable under the terms of the plan, for the costs of performing the testing regardless of whether the enrollee proceeds with the purchase of a prescription hearing aid.

(g) If a hearing care organization is owned or operated, in whole or in part, by a hearing aid manufacturer and that manufacturer offers prescription hearing aids within the hearing care benefits of a hearing care plan or discounted hearing care plan, that hearing care organization must disclose, on its websites for enrollees or potential enrollees, in its marketing communications, and in its benefits or plan documents, its ownership or operational interest and specify which prescription hearing aids are available within the hearing care plan or discounted hearing care plan it issues or administers.

(h) The provisions of this Section apply to any subcontractors used by a hearing care organization to supply items or services to a hearing instrument professional.

(215 ILCS 5/370u new)

Sec. 370u. Hearing care plans and discounted hearing care plans. All administrators of hearing care plans or discounted hearing care plans must comply with Section 356z.88 of this Code.

(215 ILCS 5/511.119 new)

Sec. 511.119. Hearing care plans. All administrators of hearing care plans must comply with Section 356z.88 of this Code.

Section 10. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

(215 ILCS 125/5-3) (from Ch. 111 1/2, par. 1411.2)

Sec. 5-3. Illinois Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 352c, 355.2, 355.3, 355.6, 355.7, 355b, 355c, 356f, 356g, 356g.5-1, 356m, 356q, 356u.10, 356v, 356w, 356x, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.40a, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.63, 356z.64, 356z.65, 356z.66, 356z.67, 356z.68, 356z.69, 356z.70, 356z.71, 356z.72, 356z.73, 356z.74, 356z.75, 356z.76, 356z.77, 356z.78, 356z.79, 356z.80, 356z.81, 356z.82, 356z.83, 356z.84, 356z.85, 356z.88, 364, 364.01, 364.3, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370a, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code.

(b) For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, Health Maintenance Organizations in the following categories are deemed to be "domestic companies":

(1) a corporation authorized under the Dental Service Plan Act or the Voluntary Health Services Plans Act;

(2) a corporation organized under the laws of this State; or

(3) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a "domestic company" under Article VIII 1/2 of the Illinois Insurance Code.

(c) In considering the merger, consolidation, or other acquisition of control of a Health Maintenance Organization pursuant to Article VIII 1/2 of the Illinois Insurance Code,

(1) the Director shall give primary consideration to the continuation of benefits to enrollees and the financial conditions of the acquired Health Maintenance Organization after the merger, consolidation, or other acquisition of control takes effect;

(2)(i) the criteria specified in subsection (1)(b) of Section 131.8 of the Illinois Insurance Code shall not apply and (ii) the Director, in making his determination with respect to the merger, consolidation, or other acquisition of control, need not take into account the effect on competition of the merger, consolidation, or other acquisition of control;

(3) the Director shall have the power to require the following information:

(A) certification by an independent actuary of the adequacy of the reserves of the Health Maintenance Organization sought to be acquired;

(B) pro forma financial statements reflecting the combined balance sheets of the acquiring company and the Health Maintenance Organization sought to be acquired as of the end of the preceding year and as of a date 90 days prior to the acquisition, as well as pro forma financial statements reflecting projected combined operation for a period of 2 years;

(C) a pro forma business plan detailing an acquiring party's plans with respect to the operation of the Health Maintenance Organization sought to be acquired for a period of not less than 3 years; and

(D) such other information as the Director shall require.

(d) The provisions of Article VIII 1/2 of the Illinois Insurance Code and this Section 5-3 shall apply to the sale by any health maintenance organization of greater than 10% of its enrollee population (including, without limitation, the health maintenance organization's right, title, and interest in and to its health care certificates).

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be

managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

(f) Except for small employer groups as defined in the Small Employer Rating, Renewability and Portability Health Insurance Act and except for medicare supplement policies as defined in Section 363 of the Illinois Insurance Code, a Health Maintenance Organization may by contract agree with a group or other enrollment unit to effect refunds or charge additional premiums under the following terms and conditions:

(i) the amount of, and other terms and conditions with respect to, the refund or additional premium are set forth in the group or enrollment unit contract agreed in advance of the period for which a refund is to be paid or additional premium is to be charged (which period shall not be less than one year); and

(ii) the amount of the refund or additional premium shall not exceed 20% of the Health Maintenance Organization's profitable or unprofitable experience with respect to the group or other enrollment unit for the period (and, for purposes of a refund or additional premium, the profitable or unprofitable experience shall be calculated taking into account a pro rata share of the Health Maintenance Organization's administrative and marketing expenses, but shall not include any refund to be made or additional premium to be paid pursuant to this subsection (f)). The Health Maintenance Organization and the group or enrollment unit may agree that the profitable or unprofitable experience may be calculated taking into account the refund period and the immediately preceding 2 plan years.

The Health Maintenance Organization shall include a statement in the evidence of coverage issued to each enrollee describing the possibility of a refund or additional premium, and upon request of any group or enrollment unit, provide to the group or enrollment unit a description of the method used to calculate (1) the Health Maintenance Organization's profitable experience with respect to the group or enrollment unit and the resulting refund to the group or enrollment unit or (2) the Health Maintenance Organization's unprofitable experience with respect to the group or enrollment unit and the resulting additional premium to be paid by the group or enrollment unit.

In no event shall the Illinois Health Maintenance Organization Guaranty Association be liable to pay any contractual obligation of an insolvent organization to pay any refund authorized under this Section.

(g) Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-123, eff. 1-1-24; 103-154, eff. 6-30-23; 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-551, eff. 8-11-23; 103-605, eff. 7-1-24; 103-618, eff. 1-1-25; 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-753, eff. 8-2-24; 103-758, eff. 1-1-25; 103-777, eff. 8-2-24; 103-808, eff. 1-1-26; 103-914, eff. 1-1-25; 103-918, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-28, eff. 1-1-26; 104-42, eff. 8-1-25; 104-68, eff. 1-1-26; 104-73, eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-334, eff. 8-15-25; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25; revised 11-21-25.)

Section 15. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

(215 ILCS 130/4003) (from Ch. 73, par. 1504-3)

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143.31, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 155.49, 352c, 355.2, 355.3, 355b, 355d, 356m, 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.32, 356z.33, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61, 356z.64, 356z.67, 356z.68, 356z.71, 356z.73, 356z.74, 356z.75, 356z.79, 356z.80, 356z.81, 356z.83, 356z.84, 356z.85, 356z.88, 364.3, 368a, 370a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code. Nothing in this Section shall require a limited health care plan to cover any service that is not a limited health service. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

(1) a corporation under the laws of this State; or

(2) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

(Source: P.A. 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-426, eff. 8-4-23; 103-445, eff. 1-1-24; 103-605, eff. 7-1-24; 103-649, eff. 1-1-25; 103-656, eff. 1-1-25; 103-700, eff. 1-1-25; 103-718, eff. 7-19-24; 103-751, eff. 8-2-24; 103-758, eff. 1-1-25; 103-832, eff. 1-1-25; 103-1024, eff. 1-1-25; 104-1, eff. 6-9-25; 104-42, eff. 8-1-25; 104-73, eff. 1-1-26; 104-98, eff. 1-1-26; 104-289, eff. 1-1-26; 104-324, eff. 1-1-26; 104-334, eff. 8-15-25; 104-379, eff. 1-1-26; 104-417, eff. 8-15-25; revised 11-21-25.)

Section 99. Effective date. This Act takes effect January 1, 2027."

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

On motion of Senator Halpin, **Senate Bill No. 2891** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2891

AMENDMENT NO. 1. Amend Senate Bill 2891 by replacing everything after the enacting clause with the following:

"Section 5. The Animal Welfare Act is amended by changing Sections 3.3 and 3.5 as follows:

(225 ILCS 605/3.3)

Sec. 3.3. Adoption of dogs and cats.

(a) An animal shelter or animal control facility shall not adopt out any dog or adopt out or return to field any cat unless it has been sterilized and microchipped. The animal shelter or animal control facility shall register the microchip in a national database with the adoptive owner's information at the time of adoption. The animal shelter or animal control facility shall retain documentation of the microchip and registration, which shall be searchable by microchip number. However, an animal shelter or animal control facility may adopt out a dog or cat that has not been sterilized and microchipped if the adopting owner has executed a written agreement to have sterilizing and microchipping procedures performed within 14 days after a licensed veterinarian certifies the dog or cat is healthy enough for sterilizing and microchipping procedures and a licensed veterinarian has certified that the dog or cat is too sick or injured to be sterilized or it would be detrimental to the health of the dog or cat to be sterilized or microchipped at the time of the adoption.

(b) An animal shelter or animal control facility may adopt out any dog or cat that is not free of disease, injury, or abnormality if the disease, injury, or abnormality is disclosed in writing to the adopter, and the animal shelter or animal control facility allows the adopter to return the animal to the animal shelter or animal control facility.

(c) The requirements of subsections (a) and (b) of this Section do not apply to adoptions subject to Section 11 of the Animal Control Act.

(d) An animal shelter or animal control facility may waive the adoption fee for a dog or cat if the person adopting the dog or cat:

(1) presents to the animal shelter or animal control facility a current and valid Illinois driver's license with the word "veteran" printed on its face, a current and valid Illinois Identification Card with the word "veteran" printed on its face, or an identification card issued under the federal Veterans Identification Card Act of 2015 and a valid Illinois driver's license or valid Illinois Identification Card; and

(2) complies with the adoption policies of the animal shelter or animal control facility.

(e) An animal shelter or animal control facility may limit the number of dogs or cats adopted from that animal shelter or animal control facility pursuant to this Section to one dog or cat each in a 2-year period.

(f) If, at any time after adoption, the adopted animal comes into the possession of an animal control agency, a law enforcement agency, another animal shelter, or a veterinarian and the agency, shelter, or

veterinarian requests information pertaining to the identity and whereabouts of the animal's adopter or the history of the animal, the adopting agency shall immediately provide that information to the requesting agency, shelter, or veterinarian.

(Source: P.A. 102-558, eff. 8-20-21; 103-434, eff. 1-1-24; 103-678, eff. 1-1-25.)

(225 ILCS 605/3.5)

Sec. 3.5. Information on dogs and cats available for adoption by an animal shelter or animal control facility.

(a) An animal shelter or animal control facility must provide to the adopter prior to the time of adoption the following information, to the best of its knowledge, on any dog or cat being offered for adoption:

(1) The breed, age, date of birth, sex, and color of the dog or cat if known, or if unknown, the animal shelter or animal control facility shall estimate to the best of its ability.

(2) The details of any inoculation or medical treatment that the dog or cat received while under the possession of the animal shelter or animal control facility.

(3) The adoption fee and any additional fees or charges.

(4) If the dog or cat was returned by an adopter, then the date and reason for the return.

(5) Any behavior noted during interactions with the dog, including intake, walks, playgroups, socialization sessions, medical examinations, and other assessments.

(6) If the dog has killed a companion animal or livestock.

(7) If the dog or cat has bitten any person at the facility or prior to admission.

~~(8)~~ (8) The following written statement: "A copy of our policy regarding warranties, refunds, or returns is available upon request."

~~(9)~~ (9) The license number of the animal shelter or animal control facility issued by the Illinois Department of Agriculture.

(b) The information required in subsection (a) shall be provided to the adopter in written form by the animal shelter or animal control facility and shall have an acknowledgement of disclosures form, which must be signed by the adopter and an authorized representative of the animal shelter or animal control facility at the time of the adoption. The acknowledgement of disclosures form shall include the following:

(1) A blank space for the dated signature and printed name of the authorized representative handling the adoption on behalf of the animal shelter or animal control facility, which shall be immediately beneath the following printed statement: "I hereby attest that all of the above information is true and correct to the best of my knowledge."

(2) A blank space for the dated signature and printed name of the adopter, which shall be immediately beneath the following statement: "I hereby attest that this disclosure regarding was posted on or near the cage of the dog or cat for adoption was presented to me and that I have read all the disclosures. I further understand that I am entitled to keep a signed copy of this disclosure."

(c) A copy of the disclosures and the signed acknowledgement of disclosures form shall be provided to the adopter and the original copy shall be maintained by the animal shelter or animal control facility for a period of 2 years from the date of adoption. A copy of the animal shelter's or animal control facility's policy regarding warranties, refunds, or returns shall be provided to the adopter.

(d) An animal shelter or animal control facility is prohibited from offering for adoption or transfer, giving away, rehoming, or placing any dog determined to be a vicious dog under Section 15 of the Animal Control Act or a dog deemed dangerous under Section 15.1 of the Animal Control Act. An animal shelter or animal control facility shall post in a conspicuous place in writing on or near the cage of any dog or cat available for adoption the information required by subsection (a) of this Section 3.5.

(Source: P.A. 96-1470, eff. 1-1-11)."

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Johnson, **Senate Bill No. 2968** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2968

AMENDMENT NO. 1. Amend Senate Bill 2968 by replacing everything after the enacting clause with the following:

"Section 5. The State Treasurer Act is amended by adding Section 17.2 as follows:

(15 ILCS 505/17.2 new)

Sec. 17.2. Non-profit investment pool.

(a) The State Treasurer may establish and administer a non-profit investment pool and an electronic payment processing program to supplement and enhance investment opportunities and secure electronic payment options otherwise available to not-for-profit corporations in this State.

(b) The Treasurer may receive funds paid into the non-profit investment pool by a not-for-profit corporation that is exempt from taxation under Section 501(c)(3), 501(c)(4), 501(c)(5), or 501(c)(6) of the Internal Revenue Code for the purpose of holding and investing those funds. In order to be eligible to participate in the non-profit investment pool, the not-for-profit corporation shall:

(1) provide the Treasurer with a copy of the most recent audited financial statement or charitable organization annual report filed with the Attorney General;

(2) be domiciled in Illinois;

(3) not be on the federal system for award management (SAM) exclusion list;

(4) not be on the Chief Procurement Officer's suspensions, debarments, voluntary exclusions, and voluntary non-participation agreements list;

(5) not be on the Department of Labor's debarred contractors list;

(6) not be on the Illinois Stop Payment List established under the Grant Accountability and Transparency Act; and

(7) be at least one of the following:

(A) a Medicaid certified provider that is not on the Department of Healthcare and Family Services' provider sanctions list;

(B) an organization that held certification under the Grant Accountability and Transparency Act at any time within the previous 8 years prior to the transmittal of funds to the Treasurer or is a current grantee or subgrantee of the State;

(C) a labor organization registered with the United States Department of Labor; or

(D) an organization whose mission involves a purpose or cause related to one of the following:

(i) legal aid services for people with low incomes;

(ii) services for military veterans;

(iii) scientific and medical research;

(iv) neighborhood and community development;

(v) affordable housing or housing assistance;

(vi) public pre-kindergarten through grade 12, public career and technical education, or public higher education access and scholarships;

(vii) publicly funded libraries, publicly funded museums, or public broadcasting;

(viii) support for firefighting and EMS services;

(ix) emergency assistance and disaster relief;

(x) food banks and food pantries;

(xi) environmental protection and preservation;

(xii) animal shelters, humane societies, or anti-animal cruelty society;

(xiii) cultural and performing arts;

(xiv) job training, employment placement, or community-based services;

(xv) services for victims of domestic violence; or

(xvi) services for seniors and people with disabilities.

(c) The Treasurer may invest the funds constituting the non-profit investment pool in the same manner, in the same types of investments, and subject to the same limitations provided for the investment of funds in the State Treasury. The Treasurer shall develop, publish, and implement an investment policy covering the management of funds in the non-profit investment pool. The policy shall be published each year as part of the audit of the non-profit investment pool by the Auditor General, which shall be distributed to all participants. The Treasurer shall notify all non-profit investment pool participants in writing, and the Treasurer shall publish in at least one newspaper of general circulation in both Springfield and Chicago any

changes to a previously published investment policy at least 30 calendar days before implementing the policy. Any investment policy adopted by the Treasurer shall be reviewed, and updated if necessary, within 90 days after the installation of a new Treasurer.

(d) The Treasurer shall adopt rules for the efficient administration of the non-profit investment pool, including the minimum amounts that may be deposited in the non-profit investment pool and the minimum period of time that deposits shall be retained in the non-profit investment pool. The rules shall provide for the administrative expenses of the non-profit investment pool to be paid from its earnings and for the interest earnings in excess of such expenses to be credited or paid monthly to the not-for-profit corporations participating in the non-profit investment pool in a manner which equitably reflects the differing amounts of their respective investments in the non-profit investment pool and the differing periods of time for which the amounts were in the custody of the non-profit investment pool.

(e) Upon creating a non-profit investment pool, the State Treasurer shall give bond with 2 or more sufficient sureties, payable to not-for-profit corporations that participate in the non-profit investment pool for the benefit of the not-for-profit corporations that have funds that are paid into the non-profit investment pool for investment, in the penal sum of \$150,000, conditioned for the faithful discharge of the State Treasurer's duties in relation to the non-profit investment pool."

Floor Amendment No. 2 was referred to the Committee on Executive earlier today.

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

On motion of Senator Morrison, **Senate Bill No. 3048** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3048

AMENDMENT NO. 1 . Amend Senate Bill 3048 by replacing everything after the enacting clause with the following:

"Section 5. The Freedom of Information Act is amended by changing Section 7.5 as follows:

(5 ILCS 140/7.5)

(Text of Section before amendment by P.A. 104-441 and 104-457)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmitted infection or any information the disclosure of which is restricted under the Illinois Sexually Transmitted Infection Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act (repealed). This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Department of Transportation under Sections 2705-300 and 2705-616 of the Department of Transportation Law of the Civil Administrative Code of Illinois, the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act, or the St. Clair County Transit District under the Bi-State Transit Safety Act (repealed).

(q) Information prohibited from being disclosed by the Personnel Record Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) (Blank).

(u) Records and information provided to an independent team of experts under the Developmental Disability and Mental Health Safety Act (also known as Brian's Law).

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(v-5) Records of the Firearm Owner's Identification Card Review Board that are exempted from disclosure under Section 10 of the Firearm Owners Identification Card Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

- (ee) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.
- (ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.
- (gg) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.
- (hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.
- (ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.
- (jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.
- (kk) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act.
- (ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.
- (mm) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.
- (nn) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.
- (oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.
- (pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.
- (qq) Information and records held by the Department of Public Health and its authorized representatives collected under the Reproductive Health Act.
- (rr) Information that is exempt from disclosure under the Cannabis Regulation and Tax Act.
- (ss) Data reported by an employer to the Department of Human Rights pursuant to Section 2-108 of the Illinois Human Rights Act.
- (tt) Recordings made under the Children's Advocacy Center Act, except to the extent authorized under that Act.
- (uu) Information that is exempt from disclosure under Section 50 of the Sexual Assault Evidence Submission Act.
- (vv) Information that is exempt from disclosure under subsections (f) and (j) of Section 5-36 of the Illinois Public Aid Code.
- (ww) Information that is exempt from disclosure under Section 16.8 of the State Treasurer Act.
- (xx) Information that is exempt from disclosure or information that shall not be made public under the Illinois Insurance Code.
- (yy) Information prohibited from being disclosed under the Illinois Educational Labor Relations Act.
- (zz) Information prohibited from being disclosed under the Illinois Public Labor Relations Act.
- (aaa) Information prohibited from being disclosed under Section 1-167 of the Illinois Pension Code.
- (bbb) Information that is prohibited from disclosure by the Illinois Police Training Act and the Illinois State Police Act.
- (ccc) Records exempt from disclosure under Section 2605-304 of the Illinois State Police Law of the Civil Administrative Code of Illinois.
- (ddd) Information prohibited from being disclosed under Section 35 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act.
- (eee) Information prohibited from being disclosed under subsection (b) of Section 75 of the Domestic Violence Fatality Review Act.
- (fff) Images from cameras under the Expressway Camera Act and all automated license plate reader (ALPR) information used and collected by the Illinois State Police. "ALPR information" means information gathered by an ALPR or created from the analysis of data generated by an ALPR. This subsection (fff) is inoperative on and after July 1, 2028.

(ggg) Information prohibited from disclosure under paragraph (3) of subsection (a) of Section 14 of the Nurse Agency Licensing Act.

(hhh) Information submitted to the Illinois State Police in an affidavit or application for an assault weapon endorsement, assault weapon attachment endorsement, .50 caliber rifle endorsement, or .50 caliber cartridge endorsement under the Firearm Owners Identification Card Act.

(iii) Data exempt from disclosure under Section 50 of the School Safety Drill Act.

(jjj) Information exempt from disclosure under Section 30 of the Insurance Data Security Law.

(kkk) Confidential business information prohibited from disclosure under Section 45 of the Paint Stewardship Act.

(lll) Data exempt from disclosure under Section 2-3.196 of the School Code.

(mmm) Information prohibited from being disclosed under subsection (e) of Section 1-129 of the Illinois Power Agency Act.

(nnn) Materials received by the Department of Commerce and Economic Opportunity that are confidential under the Music and Musicians Tax Credit and Jobs Act.

(ooo) Data or information provided pursuant to Section 20 of the Statewide Recycling Needs and Assessment Act.

(ppp) Information that is exempt from disclosure under Section 28-11 of the Lawful Health Care Activity Act.

(qqq) Information that is exempt from disclosure under Section 7-101 of the Illinois Human Rights Act.

(rrr) Information prohibited from being disclosed under Section 4-2 of the Uniform Money Transmission Modernization Act.

(sss) Information exempt from disclosure under Section 40 of the Student-Athlete Endorsement Rights Act.

(ttt) Audio recordings made under Section 30 of the Illinois State Police Act, except to the extent authorized under that Section.

(uuu) Information prohibited from being disclosed under Section 30-5 of the Digital Assets Regulation Act.

(www) Information, records, or recordings collected in a lethality assessment under subsection (d) of Section 304 of the Illinois Domestic Violence Act of 1986.

(Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25; 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; revised 9-10-25.)

(Text of Section after amendment by P.A. 104-457 but before 104-441)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmitted infection or any information the disclosure of which is restricted under the Illinois Sexually Transmitted Infection Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act (repealed). This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Department of Transportation under Sections 2705-300 and 2705-616 of the Department of Transportation Law of the Civil Administrative Code of Illinois, the Northern Illinois Transit Authority under Section 2.11 of the Northern Illinois Transit Authority Act, or the St. Clair County Transit District under the Bi-State Transit Safety Act (repealed).

(q) Information prohibited from being disclosed by the Personnel Record Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) (Blank).

(u) Records and information provided to an independent team of experts under the Developmental Disability and Mental Health Safety Act (also known as Brian's Law).

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(v-5) Records of the Firearm Owner's Identification Card Review Board that are exempted from disclosure under Section 10 of the Firearm Owners Identification Card Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

- (bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.
- (cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.
- (dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.
- (ee) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.
- (ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.
- (gg) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.
- (hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.
- (ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.
- (jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.
- (kk) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act.
- (ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.
- (mm) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.
- (nn) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.
- (oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.
- (pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.
- (qq) Information and records held by the Department of Public Health and its authorized representatives collected under the Reproductive Health Act.
- (rr) Information that is exempt from disclosure under the Cannabis Regulation and Tax Act.
- (ss) Data reported by an employer to the Department of Human Rights pursuant to Section 2-108 of the Illinois Human Rights Act.
- (tt) Recordings made under the Children's Advocacy Center Act, except to the extent authorized under that Act.
- (uu) Information that is exempt from disclosure under Section 50 of the Sexual Assault Evidence Submission Act.
- (vv) Information that is exempt from disclosure under subsections (f) and (j) of Section 5-36 of the Illinois Public Aid Code.
- (ww) Information that is exempt from disclosure under Section 16.8 of the State Treasurer Act.
- (xx) Information that is exempt from disclosure or information that shall not be made public under the Illinois Insurance Code.
- (yy) Information prohibited from being disclosed under the Illinois Educational Labor Relations Act.
- (zz) Information prohibited from being disclosed under the Illinois Public Labor Relations Act.
- (aaa) Information prohibited from being disclosed under Section 1-167 of the Illinois Pension Code.
- (bbb) Information that is prohibited from disclosure by the Illinois Police Training Act and the Illinois State Police Act.
- (ccc) Records exempt from disclosure under Section 2605-304 of the Illinois State Police Law of the Civil Administrative Code of Illinois.
- (ddd) Information prohibited from being disclosed under Section 35 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act.
- (eee) Information prohibited from being disclosed under subsection (b) of Section 75 of the Domestic Violence Fatality Review Act.

(fff) Images from cameras under the Expressway Camera Act and all automated license plate reader (ALPR) information used and collected by the Illinois State Police. "ALPR information" means information gathered by an ALPR or created from the analysis of data generated by an ALPR. This subsection (fff) is inoperative on and after July 1, 2028.

(ggg) Information prohibited from disclosure under paragraph (3) of subsection (a) of Section 14 of the Nurse Agency Licensing Act.

(hhh) Information submitted to the Illinois State Police in an affidavit or application for an assault weapon endorsement, assault weapon attachment endorsement, .50 caliber rifle endorsement, or .50 caliber cartridge endorsement under the Firearm Owners Identification Card Act.

(iii) Data exempt from disclosure under Section 50 of the School Safety Drill Act.

(jjj) Information exempt from disclosure under Section 30 of the Insurance Data Security Law.

(kkk) Confidential business information prohibited from disclosure under Section 45 of the Paint Stewardship Act.

(lll) Data exempt from disclosure under Section 2-3.196 of the School Code.

(mmm) Information prohibited from being disclosed under subsection (e) of Section 1-129 of the Illinois Power Agency Act.

(nnn) Materials received by the Department of Commerce and Economic Opportunity that are confidential under the Music and Musicians Tax Credit and Jobs Act.

(ooo) Data or information provided pursuant to Section 20 of the Statewide Recycling Needs and Assessment Act.

(ppp) Information that is exempt from disclosure under Section 28-11 of the Lawful Health Care Activity Act.

(qqq) Information that is exempt from disclosure under Section 7-101 of the Illinois Human Rights Act.

(rrr) Information prohibited from being disclosed under Section 4-2 of the Uniform Money Transmission Modernization Act.

(sss) Information exempt from disclosure under Section 40 of the Student-Athlete Endorsement Rights Act.

(ttt) Audio recordings made under Section 30 of the Illinois State Police Act, except to the extent authorized under that Section.

(uuu) Information prohibited from being disclosed under Section 30-5 of the Digital Assets Regulation Act.

(www) Information, records, or recordings collected in a lethality assessment under subsection (d) of Section 304 of the Illinois Domestic Violence Act of 1986.

(Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25; 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-457, eff. 6-1-26; revised 1-7-26.)

(Text of Section after amendment by P.A. 104-441)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmitted infection or any information the disclosure of which is restricted under the Illinois Sexually Transmitted Infection Control Act.

- (e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.
- (f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.
- (g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.
- (h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.
- (i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.
- (j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.
- (k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.
- (l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.
- (m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.
- (n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act (repealed). This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.
- (o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.
- (p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Department of Transportation under Sections 2705-300 and 2705-616 of the Department of Transportation Law of the Civil Administrative Code of Illinois, the Northern Illinois Transit Authority under Section 2.11 of the Northern Illinois Transit Authority Act, or the St. Clair County Transit District under the Bi-State Transit Safety Act (repealed).
- (q) Information prohibited from being disclosed by the Personnel Record Review Act.
- (r) Information prohibited from being disclosed by the Illinois School Student Records Act.
- (s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.
- (t) (Blank).
- (u) Records and information provided to an independent team of experts under the Developmental Disability and Mental Health Safety Act (also known as Brian's Law).
- (v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.
- (v-5) Records of the Firearm Owner's Identification Card Review Board that are exempted from disclosure under Section 10 of the Firearm Owners Identification Card Act.
- (w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.
- (x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.
- (y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect,

or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

(ee) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.

(ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.

(gg) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.

(hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.

(ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.

(jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.

(kk) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act.

(ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.

(mm) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.

(nn) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.

(oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.

(pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.

(qq) Information and records held by the Department of Public Health and its authorized representatives collected under the Reproductive Health Act.

(rr) Information that is exempt from disclosure under the Cannabis Regulation and Tax Act.

(ss) Data reported by an employer to the Department of Human Rights pursuant to Section 2-108 of the Illinois Human Rights Act.

(tt) Recordings made under the Children's Advocacy Center Act, except to the extent authorized under that Act.

(uu) Information that is exempt from disclosure under Section 50 of the Sexual Assault Evidence Submission Act.

(vv) Information that is exempt from disclosure under subsections (f) and (j) of Section 5-36 of the Illinois Public Aid Code.

(ww) Information that is exempt from disclosure under Section 16.8 of the State Treasurer Act.

(xx) Information that is exempt from disclosure or information that shall not be made public under the Illinois Insurance Code.

(yy) Information prohibited from being disclosed under the Illinois Educational Labor Relations Act.

(zz) Information prohibited from being disclosed under the Illinois Public Labor Relations Act.

(aaa) Information prohibited from being disclosed under Section 1-167 of the Illinois Pension Code.

(bbb) Information that is prohibited from disclosure by the Illinois Police Training Act and the Illinois State Police Act.

(ccc) Records exempt from disclosure under Section 2605-304 of the Illinois State Police Law of the Civil Administrative Code of Illinois.

(ddd) Information prohibited from being disclosed under Section 35 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act.

(eee) Information prohibited from being disclosed under subsection (b) of Section 75 of the Domestic Violence Fatality Review Act.

(fff) Images from cameras under the Expressway Camera Act and all automated license plate reader (ALPR) information used and collected by the Illinois State Police. "ALPR information" means information gathered by an ALPR or created from the analysis of data generated by an ALPR. This subsection (fff) is inoperative on and after July 1, 2028.

(ggg) Information prohibited from disclosure under paragraph (3) of subsection (a) of Section 14 of the Nurse Agency Licensing Act.

(hhh) Information submitted to the Illinois State Police in an affidavit or application for an assault weapon endorsement, assault weapon attachment endorsement, .50 caliber rifle endorsement, or .50 caliber cartridge endorsement under the Firearm Owners Identification Card Act.

(iii) Data exempt from disclosure under Section 50 of the School Safety Drill Act.

(jjj) Information exempt from disclosure under Section 30 of the Insurance Data Security Law.

(kkk) Confidential business information prohibited from disclosure under Section 45 of the Paint Stewardship Act.

(lll) Data exempt from disclosure under Section 2-3.196 of the School Code.

(mmm) Information prohibited from being disclosed under subsection (e) of Section 1-129 of the Illinois Power Agency Act.

(nnn) Materials received by the Department of Commerce and Economic Opportunity that are confidential under the Music and Musicians Tax Credit and Jobs Act.

(ooo) Data or information provided pursuant to Section 20 of the Statewide Recycling Needs and Assessment Act.

(ppp) Information that is exempt from disclosure under Section 28-11 of the Lawful Health Care Activity Act.

(qqq) Information that is exempt from disclosure under Section 7-101 of the Illinois Human Rights Act.

(rrr) Information prohibited from being disclosed under Section 4-2 of the Uniform Money Transmission Modernization Act.

(sss) Information exempt from disclosure under Section 40 of the Student-Athlete Endorsement Rights Act.

(ttt) Audio recordings made under Section 30 of the Illinois State Police Act, except to the extent authorized under that Section.

(uuu) Information prohibited from being disclosed under Section 30-5 of the Digital Assets Regulation Act.

(vvv) ~~(uuu)~~ Information exempt from disclosure under Section 70 of the End-of-Life Options for Terminally Ill Patients Act.

(www) Information, records, or recordings collected in a lethality assessment under subsection (d) of Section 304 of the Illinois Domestic Violence Act of 1986.

(Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25; 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-441, eff. 9-12-26; 104-457, eff. 6-1-26; revised 1-7-26.)

Section 10. The Illinois State Police Law of the Civil Administrative Code of Illinois is amended by changing Section 2605-51 as follows:

(20 ILCS 2605/2605-51)

Sec. 2605-51. Division of the Academy and Training.

(a) The Division of the Academy and Training shall exercise, but not be limited to, the following functions:

(1) Oversee and operate the Illinois State Police Training Academy.

(2) Train and prepare new officers for a career in law enforcement, with innovative, quality training and educational practices.

- (3) Offer continuing training and educational programs for Illinois State Police employees.
- (4) Oversee the Illinois State Police's recruitment initiatives.
- (5) Oversee and operate the Illinois State Police's quartermaster.
- (6) Duties assigned to the Illinois State Police in Article 5, Chapter 11 of the Illinois Vehicle Code concerning testing and training officers on the detection of impaired driving.
- (7) Duties assigned to the Illinois State Police in Article 108B of the Code of Criminal Procedure of 1963.

(a-5) Successful completion of the Illinois State Police Academy satisfies the minimum standards pursuant to subsections (a), (b), and (d) of Section 7 of the Illinois Police Training Act and exempts Illinois State Police officers from the Illinois Law Enforcement Training Standards Board's State Comprehensive Examination and Equivalency Examination. Satisfactory completion shall be evidenced by a commission or certificate issued to the officer.

(b) The Division of the Academy and Training shall exercise the rights, powers, and duties vested in the former Division of State Troopers by Section 17 of the Illinois State Police Act.

(c) Specialized training. The Division of the Academy and Training shall provide the following specialized training:

(1) Crash reconstruction specialist; training. The Division of the Academy and Training shall cooperate with the Division of Forensic Services to provide specialized training in crash reconstruction for Illinois State Police officers. Only Illinois State Police officers who successfully complete the training may be assigned as crash reconstruction specialists.

(2) Death and homicide investigations; training. The Division of the Academy and Training shall provide training in death and homicide investigation for Illinois State Police officers. Only Illinois State Police officers who successfully complete the training may be assigned as lead investigators in death and homicide investigations. Satisfactory completion of the training shall be evidenced by a certificate issued to the officer by the Division of the Academy and Training. The Director shall develop a process for waiver applications for officers whose prior training and experience as homicide investigators may qualify them for a waiver. The Director may issue a waiver, at his or her discretion, based solely on the prior training and experience of an officer as a homicide investigator.

(A) The Division of the Academy and Training shall require all homicide investigator training to include instruction on victim-centered, trauma-informed investigation. This training must be implemented by July 1, 2023.

(B) The Division of the Academy and Training shall cooperate with the Division of Criminal Investigation to develop a model curriculum on victim-centered, trauma-informed investigation. This curriculum must be implemented by July 1, 2023.

(3) Investigation of officer-involved criminal sexual assault; training. The Division of the Academy and Training shall cooperate with the Division of Criminal Investigation to provide a specialized criminal sexual assault and sexual abuse investigation training program for Illinois State Police officers. Only Illinois State Police officers who successfully complete the training may be assigned as investigators in officer-involved criminal sexual assault investigations under Section 10 of the Law Enforcement Criminal Sexual Assault Investigation Act.

(4) Investigation of officer-involved deaths; training. The Division of the Academy and Training shall have a written policy regarding the investigation of officer-involved deaths that involve a law enforcement officer employed by the Illinois State Police as required under Section 1-10 of the Police and Community Relations Improvement Act and shall provide specialized training in that policy for Illinois State Police officers.

(5) Juvenile specialist; training. The Division of the Academy and Training shall provide specialized juvenile training for Illinois State Police officers who meet the definition of "juvenile police officer" as defined under paragraph (17) of Section 1-3 of the Juvenile Court Act of 1987. Juvenile specialists may complete questioning of juveniles on school grounds as provided under Section 22-88 of the School Code.

(6) Peer support program; training. The Division of the Academy and Training shall cooperate with the Office of the Director to provide peer support advisors with appropriate specialized training in counseling to conduct peer support counseling sessions under Section 10 of the First Responders Suicide Prevention Act.

(7) Police dog training standards; training. All police dogs used by the Illinois State Police for drug enforcement purposes pursuant to the Cannabis Control Act, the Illinois Controlled Substances Act, and the Methamphetamine Control and Community Protection Act shall be trained by programs that meet the certification requirements set by the Director or the Director's designee. Satisfactory completion of the training shall be evidenced by a certificate issued by the Division of the Academy and Training.

(8) Safe2Help; training. The Division of the Academy and Training shall cooperate with the Division of Criminal Investigation to ensure all program personnel or call center staff, or both, are appropriately trained in the areas described in subsection (f) of Section 10 of the Student Confidential Reporting Act. ~~(40)~~

(c-5) In-service training.

(1) At least once, the Division of the Academy and Training shall develop and require the following in-service training opportunities to be completed by Illinois State Police officers:

(A) Cell phone medical information; training. Training required under this subparagraph (A) shall provide instruction on accessing and using medical information stored in cell phones. The Division may use the program approved under Section 2310-711 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois to develop the Division's program.

(B) Autism spectrum disorders; training. Training required under this subparagraph (B) shall instruct Illinois State Police officers on the nature of autism spectrum disorders and in identifying and appropriately responding to individuals with autism spectrum disorders. The Illinois State Police shall review the training curriculum and may consult with the Department of Public Health or the Department of Human Services to update the training curriculum as needed.

(C) Lethality assessment; training. The training required under this subparagraph (C) shall provide instruction on the policies and procedures for administering a lethality assessment, including how referrals to domestic violence services are to be handled by the law enforcement agency.

(2) At least every year, the Division of the Academy and Training shall provide the following in-service training to Illinois State Police officers:

(A) Cultural diversity; training.

(i) Training required under this subparagraph (A) shall provide training and continuing education to Illinois State Police officers concerning cultural diversity, including topics such as sensitivity toward racial and ethnic differences.

(ii) This training and continuing education shall, among other things, emphasize that the primary purpose of enforcement of the Illinois Vehicle Code is safety and equal, uniform, and non-discriminatory enforcement of the law.

(B) Minimum annual in-service training requirements. Minimum annual in-service training includes:

(i) crisis intervention training;

(ii) emergency medical response training and certification;

(iii) firearm qualification training;

(iv) law updates; and

(v) officer wellness and mental health.

(C) Firearms restraining orders; training. Training required under this subparagraph (C) shall provide instruction on the processes used to file a firearms restraining order, to identify situations in which a firearms restraining order is appropriate, and to safely promote the usage of the firearms restraining order in different situations.

(3) At least every 3 years, the Division of the Academy and Training shall provide the following in-service training to Illinois State Police officers:

(A) Arrest and use of force and control tactics; training. Training required under this subparagraph (A) shall provide to Illinois State Police officers training and continuing education concerning knowledge of policies and laws regulating the use of force; shall equip officers with tactics and skills, including de-escalation techniques, to prevent or reduce the need to use force or, when force must be used, to use force that is objectively reasonable, necessary,

and proportional under the totality of the circumstances; and shall ensure appropriate supervision and accountability. The training shall consist of at least 30 hours and shall include:

(i) at least 12 hours of hands-on, scenario-based role-playing;

(ii) at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible;

(iii) specific training on the law concerning stops, searches, and the use of force under the Fourth Amendment to the United States Constitution;

(iv) specific training on officer safety techniques, including cover, concealment, and time; and

(v) at least 6 hours of training focused on high-risk traffic stops.

(B) Minimum triennial in-service training requirements. Minimum triennial in-service training required ~~this~~ under this subparagraph (B) includes training and continuing education to Illinois State Police officers concerning:

(i) constitutional and proper use of law enforcement authority;

(ii) civil and human rights;

(iii) cultural competency, including implicit bias and racial and ethnic sensitivity;

and

(iv) procedural justice.

(C) Mandated reporter; training. Training required under this subparagraph (C) must be approved by the Department of Children and Family Services as provided under Section 4 of the Abused and Neglected Child Reporting Act and includes training on the reporting of child abuse and neglect.

(D) Sexual assault and sexual abuse; training.

(i) Training required under this subparagraph (D) shall include in-service training on sexual assault and sexual abuse response and training on report writing requirements, including, but not limited to, the following:

(a) recognizing the symptoms of trauma;

(b) understanding the role trauma has played in a victim's life;

(c) responding to the needs and concerns of a victim;

(d) delivering services in a compassionate, sensitive, and nonjudgmental manner;

(e) interviewing techniques in accordance with the curriculum standards in subdivision (iii) of this subparagraph;

(f) understanding cultural perceptions and common myths of sexual assault and sexual abuse; and

(g) report writing techniques in accordance with the curriculum standards in subdivision (iii) of this subparagraph and the Sexual Assault Incident Procedure Act.

(ii) Instructors providing training under this subparagraph (D) ~~(G)~~ shall have successfully completed training on evidence-based, trauma-informed, victim-centered responses to cases of sexual assault and sexual abuse and shall have experience responding to sexual assault and sexual abuse cases.

(iii) The Illinois State Police shall adopt rules, in consultation with the Office of the Attorney General and the Illinois Law Enforcement Training Standards Board, to determine the specific training requirements. The rules adopted by the Illinois State Police shall include, at a minimum, both of the following:

(a) evidence-based curriculum standards for report writing and immediate response to sexual assault and sexual abuse, including trauma-informed, victim-centered interview techniques, which have been demonstrated to minimize retraumatization, for all Illinois State Police officers; and

(b) evidence-based curriculum standards for trauma-informed, victim-centered investigation and interviewing techniques, which have been demonstrated to minimize retraumatization, for cases of sexual assault and sexual abuse for all Illinois State Police officers who conduct sexual assault and sexual abuse investigations.

(4) At least every 5 years, the Division of the Academy and Training shall provide the following in-service training to Illinois State Police officers:

(A) Psychology of domestic violence; training. Training under this subparagraph (A) shall provide aid in understanding the actions of domestic violence victims and abusers and the actions needed to prevent further victimization of those who have been abused. The training shall focus specifically on looking beyond physical evidence to the psychology of domestic violence situations by studying the dynamics of the aggressor-victim relationship, separately evaluating claims where both parties claim to be the victim, and assessing the long-term effects of domestic violence situations.

(c-10) Cadet training. The Division of the Academy and Training shall provide the following basic training to Illinois State Police cadets or ensure the following training was completed prior to an Illinois State Police cadet becoming an Illinois State Police officer:

(1) Animal fighting awareness and humane response; training. Training required under this paragraph (1) shall include a training program in animal fighting awareness and humane response for Illinois State Police cadets. The purpose of that training shall be for Illinois State Police officers to identify animal fighting operations and respond appropriately. Training under this paragraph (1) shall include a humane response component that provides guidelines for appropriate law enforcement response to animal abuse, cruelty, and neglect, or similar condition, as well as training on canine behavior and nonlethal ways to subdue a canine.

(2) Arrest and use of force and control tactics and officer safety; training. Training required under this paragraph (2) must include, without limitation, training on officer safety techniques, such as cover, concealment, and time.

(3) Arrest of a parent or an immediate family member; training. Training required under this paragraph (3) shall instruct Illinois State Police cadets on trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member, which must include, without limitation: (A) training in understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (B) training in de-escalation tactics that would include the use of force when reasonably necessary; and (C) training in understanding and inquiring whether a child will require supervision and care.

(4) Autism and other developmental or physical disabilities; training. Training required under this paragraph (4) shall instruct Illinois State Police cadets on identifying and interacting with persons with autism and other developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities.

(5) Cell phone medical information; training. Training required under this paragraph (5) shall instruct Illinois State Police cadets to access and use medical information stored in cell phones. The Division of the Academy and Training may use the program approved under Section 2310-711 of the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois to develop the training required under this paragraph (5).

(6) Compliance with the Health Care Violence Prevention Act; training. Training required under this paragraph (6) shall provide an appropriate level of training for Illinois State Police cadets concerning the Health Care Violence Prevention Act.

(7) Constitutional law; training. Training required under this paragraph (7) shall instruct Illinois State Police cadets on constitutional and proper use of law enforcement authority, procedural justice, civil rights, human rights, and cultural competency, including implicit bias and racial and ethnic sensitivity.

(8) Courtroom testimony; training.

(9) Crime victims; training. Training required under this paragraph (9) shall provide instruction in techniques designed to promote effective communication at the initial contact with crime victims and to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act.

(10) Criminal law; training.

(11) Crisis intervention team and mental health awareness; training. Training required under this paragraph (11) shall include a specialty certification course of at least 40 hours, addressing specialized policing responses to people with mental illnesses. The Division of the Academy and

Training shall conduct Crisis Intervention Team training programs that train officers to identify signs and symptoms of mental illness, to de-escalate situations involving individuals who appear to have a mental illness and connect individuals in crisis to treatment.

(12) Cultural diversity; training.

(A) The training required under this paragraph (12) shall provide training to Illinois State Police cadets concerning cultural competency and cultural diversity, including sensitivity toward racial and ethnic differences.

(B) This training shall include, but not be limited to, an emphasis on the fact that the primary purpose of enforcement of the Illinois Vehicle Code is safety, equal, and uniform and non-discriminatory enforcement under the law.

(13) De-escalation and use of force; training. Training required under this paragraph (13) must consist of at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible.

(14) Domestic violence; training. Training required under this paragraph (14) shall provide aid in understanding the actions of domestic violence victims and abusers and to prevent further victimization of those who have been abused, focusing specifically on looking beyond the physical evidence to the psychology of domestic violence situations, such as the dynamics of the aggressor-victim relationship, separately evaluating claims where both parties claim to be the victim, and long-term effects. This training shall also include instruction on the policies and procedures for administering a lethality assessment, including how referrals to domestic violence services would be handled by the law enforcement agency.

(15) Effective recognition of and responses to stress, trauma, and post-traumatic stress; training. Training required under this paragraph (15) shall instruct Illinois State Police cadets to recognize and respond to stress, trauma, and post-traumatic stress experienced by law enforcement officers. The training must be consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative stress, issues that may lead to suicide, and solutions for intervention with peer support resources.

(16) Elder abuse; training. Training required under this paragraph (16) shall teach Illinois State Police cadets to recognize neglect and financial exploitation against the elderly and adults with disabilities. The training shall also teach Illinois State Police cadets to recognize self-neglect by the elderly and adults with disabilities. In this subparagraph, "adults with disabilities" has the meaning given to that term in the Adult Protective Services Act.

(17) Electronic control devices; training. Training required under this paragraph (17) shall include training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans.

(18) Epinephrine auto-injector administration; training. Training required under this paragraph (18) shall instruct Illinois State Police cadets to recognize and respond to anaphylaxis. The training must comply with subsection (c) of Section 40 of the Illinois State Police Act.

(19) Evidence collection; training. Training required under this paragraph (19) must include proper procedures for collecting, handling, and preserving evidence, and rules of law.

(20) Firearms restraining orders; training. Providing instruction on the process used to file a firearms restraining order and how to identify situations in which a firearms restraining order is appropriate and how to safely promote the usage of the firearms restraining order in different situations.

(21) Firearms; training. Successful completion of a 40-hour course of training in use of a suitable type firearm shall be a condition precedent to the possession and use of that respective firearm in connection with the officer's official duties. To satisfy the requirements of this Act, the training must include the following:

(A) Instruction in the dangers of misuse of the firearm, safety rules, and care and cleaning of the firearm.

(B) Practice firing on a range and qualification with the firearm in accordance with the standards established by the Board.

(C) Instruction in the legal use of firearms under the Criminal Code of 2012 and relevant court decisions.

(D) A forceful presentation of the ethical and moral considerations assumed by any person who uses a firearm.

(22) First-aid; training. First-aid training must include cardiopulmonary resuscitation.

(23) Hate crimes; training. Training required under this paragraph (23) shall instruct Illinois State Police cadets in identifying, responding to, and reporting all hate crimes.

(24) High-risk traffic stops; training. Training required under this paragraph (24) must consist of at least 6 hours of training focused on high-risk traffic stops.

(25) High-speed vehicle chase; training. Training required under this paragraph (25) shall instruct Illinois State Police cadets on the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed vehicle chase.

(26) Human relations; training.

(27) Human trafficking; training. Training required under this paragraph (27) shall instruct Illinois State Police cadets in the detection and investigation of all forms of human trafficking, including, but not limited to, involuntary servitude under subsection (b) of Section 10-9 of the Criminal Code of 2012, involuntary sexual servitude of a minor under subsection (c) of Section 10-9 of the Criminal Code of 2012, and trafficking in persons under subsection (d) of Section 10-9 of the Criminal Code of 2012. This program shall be made available to all cadets and Illinois State Police officers.

(28) Juvenile law; training. Training required under this paragraph (28) shall instruct Illinois State Police cadets on juvenile law and the proper processing and handling of juvenile offenders.

(29) Mandated reporter; training. Training required under this paragraph (29) must be approved by the Department of Children and Family Services as provided under Section 4 of the Abused and Neglected Child Reporting Act and includes training on the reporting of child abuse and neglect.

(30) Mental conditions and crises, training. Training required under this paragraph (30) shall include, without limitation, (A) recognizing the disease of addiction, (B) recognizing situations which require immediate assistance, and (C) responding in a manner that safeguards and provides assistance to individuals in need of mental treatment.

(31) Officer wellness and suicide prevention; training. The training required under this paragraph (31) shall include instruction on job-related stress management techniques, skills for recognizing signs and symptoms of work-related cumulative stress, recognition of other issues that may lead to officer suicide, solutions for intervention, and a presentation on available peer support resources.

(32) Officer-worn body cameras; training.

(A) As used in this paragraph (32), "officer-worn body camera" has the meaning given to that term in Article 10 of the Law Enforcement Officer-Worn Body Camera Act.

(B) The training required under this paragraph (32) shall provide training in the use of officer-worn body cameras to cadets who will use officer-worn body cameras.

(33) Opioid antagonists; training.

(A) As used in this paragraph (33), "opioid antagonist" has the meaning given to that term in subsection (e) of Section 5-23 of the Substance Use Disorder Act.

(B) Training required under this paragraph (33) shall instruct Illinois State Police cadets to administer opioid antagonists.

(34) Persons arrested while under the influence of alcohol or drugs; training. Training required under this paragraph (34) shall comply with Illinois State Police policy adopted under Section 2605-54. The training shall be consistent with the Substance Use Disorder Act and shall provide guidance for the arrest of persons under the influence of alcohol or drugs, proper medical attention if warranted, and care and release of those persons from custody. The training shall provide guidance concerning the release of persons arrested under the influence of alcohol or drugs who are under the age of 21 years of age, which shall include, but shall not be limited to, instructions requiring the arresting officer to make a reasonable attempt to contact a responsible adult who is willing to take custody of the person who is under the influence of alcohol or drugs.

(35) Physical training.

(36) Post-traumatic stress disorder; training. Training required under this paragraph (36) shall equip Illinois State Police cadets to identify the symptoms of post-traumatic stress disorder and to respond appropriately to individuals exhibiting those symptoms.

(37) Report writing; training. Training required under this paragraph (37) shall instruct Illinois State Police cadets on writing reports and proper documentation of statements.

(38) Scenario training. At least 12 hours of hands-on, scenario-based role-playing.

(39) Search and seizure; training. Training required under this paragraph (39) shall instruct Illinois State Police cadets on search and seizure, including temporary questioning.

(40) Sexual assault and sexual abuse; training. Training required under this paragraph (40) shall instruct Illinois State Police cadets on sexual assault and sexual abuse response and report writing training requirements, including, but not limited to, the following:

- (A) recognizing the symptoms of trauma;
 - (B) understanding the role trauma has played in a victim's life;
 - (C) responding to the needs and concerns of a victim;
 - (D) delivering services in a compassionate, sensitive, and nonjudgmental manner;
 - (E) interviewing techniques in accordance with the curriculum standards in subsection (f) of Section 10.19 of the Illinois Police Training Act;
 - (F) understanding cultural perceptions and common myths of sexual assault and sexual abuse; and
 - (G) report-writing techniques in accordance with the curriculum standards in subsection (f) of Section 10.19 of the Illinois Police Training Act and the Sexual Assault Incident Procedure Act.
- (41) Traffic control and crash investigation; training.

(d) The Division of the Academy and Training shall administer and conduct a program consistent with 18 U.S.C. 926B and 926C for qualified active and retired Illinois State Police officers.

(Source: P.A. 103-34, eff. 1-1-24; 103-939, eff. 1-1-25; 103-949, eff. 1-1-25; 104-24, eff. 1-1-26; 104-417, eff. 8-15-25; revised 1-29-26.)

Section 15. The Illinois Police Training Act is amended by changing Section 7 as follows:
(50 ILCS 705/7)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include, but not be limited to, the following:

a. The curriculum for probationary law enforcement officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights, human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, crisis intervention training, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and crash investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include a block of instruction addressing trauma-informed programs, procedures, and practices meant to minimize traumatization of the victim. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence, including domestic violence lethality assessments, and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by law enforcement officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative stress,

issues that may lead to suicide, and solutions for intervention with peer support resources. The curriculum shall include a block of instruction addressing the mandatory reporting requirements under the Abused and Neglected Child Reporting Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum shall include training in the detection and investigation of all forms of human trafficking. The curriculum shall also include instruction in trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member; this instruction must include, but is not limited to: (1) understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (2) de-escalation tactics that would include the use of force when reasonably necessary; and (3) inquiring whether a child will require supervision and care. The curriculum for probationary law enforcement officers shall include: (1) at least 12 hours of hands-on, scenario-based role-playing; (2) at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; (3) specific training on officer safety techniques, including cover, concealment, and time; and (4) at least 6 hours of training focused on high-risk traffic stops. The curriculum for permanent law enforcement officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary law enforcement officers, including University police officers. The curriculum shall also include training on the use of a firearms restraining order by providing instruction on the process used to file a firearms restraining order and how to identify situations in which a firearms restraining order is appropriate.

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary law enforcement officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental or State governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to the officer's successful completion of the training course; (ii) attesting to the officer's satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act 89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the

Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

g. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority; procedural justice; civil rights; human rights; reporting child abuse and neglect; autism-informed law enforcement responses, techniques, and procedures; trauma-informed programs, procedures, and practices meant to minimize traumatization of the victim; and cultural competency, including implicit bias and racial and ethnic sensitivity. These trainings shall consist of at least 30 hours of training every 3 years.

h. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete at least annually. Those requirements shall include law updates, emergency medical response training and certification, crisis intervention training, and officer wellness and mental health.

i. Minimum in-service training requirements as set forth in Section 10.6.

Notwithstanding any provision of law to the contrary, the changes made to this Section by Public Act 101-652, Public Act 102-28, and Public Act 102-694 take effect July 1, 2022.
(Source: P.A. 103-154, eff. 6-30-23; 103-949, eff. 1-1-25; 104-84, eff. 1-1-26.)

Section 20. The Illinois Domestic Violence Act of 1986 is amended by changing Sections 301.1 and 304 as follows:

(750 ILCS 60/301.1) (from Ch. 40, par. 2313-1.1)

Sec. 301.1. Law enforcement policies.

(a) Every law enforcement agency shall develop, adopt, and implement written policies regarding arrest procedures for domestic violence incidents consistent with the provisions of this Act. In developing these policies, each law enforcement agency shall consult with community organizations and other law enforcement agencies with expertise in recognizing and handling domestic violence incidents.

(b) In the initial training of new recruits and every 5 years in the continuing education of law enforcement officers, every law enforcement agency shall provide training to aid in understanding the actions of domestic violence victims and abusers and to prevent further victimization of those who have been abused, focusing specifically on looking beyond the physical evidence to the psychology of domestic violence situations, such as the dynamics of the aggressor-victim relationship, separately evaluating claims where both parties claim to be the victim, and long-term effects.

Beginning January 1, 2028, the continuing education shall include training on the policies and procedures for administering a lethality assessment.

The Law Enforcement Training Standards Board shall formulate and administer the training under this subsection (b) as part of the current programs for both new recruits and active law enforcement officers. The Board shall formulate the training by July 1, 2017, and implement the training statewide by July 1, 2018. In formulating the training, the Board shall work with community organizations with expertise in domestic violence to determine which topics to include. The Law Enforcement Training Standards Board shall oversee the implementation and continual administration of the training.

(c) On or before July 1, 2031, every law enforcement agency shall provide to all of its law enforcement officers instruction on the policies and procedures for administering a lethality assessment under Section 304. A law enforcement officer may not administer a lethality assessment under Section 304 if the law enforcement officer has not received instruction on administering a lethality assessment.

(Source: P.A. 99-810, eff. 1-1-17.)

(750 ILCS 60/304) (from Ch. 40, par. 2313-4)

Sec. 304. Assistance by law enforcement officers.

(a) Whenever a law enforcement officer has reason to believe that a person has been abused, neglected, or exploited by a family or household member, the officer shall immediately use all reasonable means to prevent further abuse, neglect, or exploitation, including:

(1) Arresting the abusing, neglecting, and exploiting party, if appropriate. However, if the alleged offender is a juvenile, then the officer, based on the totality of the circumstances and using the Adolescent Domestic Battery Typology Tool, may choose not to arrest the juvenile and instead may divert the juvenile or may assist the juvenile and the juvenile's family in finding alternative placement.

In any situation in which law enforcement does not make an arrest under this Act, the officer shall forward the report of the incident to the State's Attorney's office for review;

(2) If there is probable cause to believe that particular weapons were used to commit the incident of abuse, subject to constitutional limitations, seizing and taking inventory of the weapons;

(3) Accompanying the victim of abuse, neglect, or exploitation to his or her place of residence for a reasonable period of time to remove necessary personal belongings and possessions;

(4) Offering the victim of abuse, neglect, or exploitation immediate and adequate information (written in a language appropriate for the victim or in Braille or communicated in appropriate sign language), which shall include a summary of the procedures and relief available to victims of abuse under subsection (c) of Section 217 and the officer's name and badge number;

(5) Providing the victim with one referral to an accessible service agency;

(6) Advising the victim of abuse about seeking medical attention and preserving evidence (specifically including photographs of injury or damage and damaged clothing or other property); and

(7) Providing or arranging accessible transportation for the victim of abuse (and, at the victim's request, any minors or dependents in the victim's care) to a medical facility for treatment of injuries or to a nearby place of shelter or safety; or, after the close of court business hours, providing or arranging for transportation for the victim (and, at the victim's request, any minors or dependents in the victim's care) to the nearest available circuit judge or associate judge so the victim may file a petition for an emergency order of protection under subsection (c) of Section 217. When a victim of abuse chooses to leave the scene of the offense, it shall be presumed that it is in the best interests of any minors or dependents in the victim's care to remain with the victim or a person designated by the victim, rather than to remain with the abusing party.

(b) Whenever a law enforcement officer does not exercise arrest powers or otherwise initiate criminal proceedings, the officer shall:

(1) Make a police report of the investigation of any bona fide allegation of an incident of abuse, neglect, or exploitation and the disposition of the investigation, in accordance with subsection (a) of Section 303;

(2) Inform the victim of abuse neglect, or exploitation of the victim's right to request that a criminal proceeding be initiated where appropriate, including specific times and places for meeting with the State's Attorney's office, a warrant officer, or other official in accordance with local procedure; and

(3) Advise the victim of the importance of seeking medical attention and preserving evidence (specifically including photographs of injury or damage and damaged clothing or other property).

(c) Except as provided by Section 24-6 of the Criminal Code of 2012 or under a court order, any weapon seized under subsection (a)(2) shall be returned forthwith to the person from whom it was seized when it is no longer needed for evidentiary purposes.

(d) Beginning no later than July 1, 2031, a law enforcement officer investigating an alleged incident of intimate partner domestic violence shall administer a lethality assessment if:

(1) the allegation of intimate partner domestic violence results in an arrest being made; or

(2) the allegation of intimate partner domestic violence does not result in an arrest being made but evidence exists that an assault, battery, or other physical violence has occurred between the intimate partners.

If the allegation of intimate partner domestic violence does not result in an arrest and no evidence exists that an assault, battery, or other physical violence has occurred, a law enforcement agency is authorized to partner with a domestic violence center that administers lethality assessments. The domestic violence center shall be provided with all police reports, victim statements, and any other information necessary to complete the lethality assessment within 72 hours of the domestic violence incident. The domestic violence center shall provide all referrals to the victim based on the lethality assessment. If a law enforcement agency chooses to partner with a domestic violence center to provide the lethality assessments, it must be documented in the agency's policy on lethality assessment as provided in this subsection.

By July 1, 2027, the Department of Human Services shall develop, in consultation with law enforcement, a statewide organization representing State's Attorneys, and a statewide organization dedicated to domestic violence prevention, a model lethality assessment instrument that local law enforcement agencies may use or reference in developing their own lethality assessment instrument. Each law enforcement agency shall create a policy on administering a lethality assessment, including how referrals to domestic violence services would be handled by the law enforcement agency.

If a victim does not, or is unable to, provide information to a law enforcement officer sufficient to allow the law enforcement officer to administer a lethality assessment, the law enforcement officer must document the lack of a lethality assessment in the written police report and refer the victim to the nearest domestic violence center in accordance with subsection (a)(4).

A law enforcement officer shall not include or attach in a probable cause statement, written police report, or incident report the domestic violence center to which a victim was referred; such information is exempt under Section 7.5 of the Freedom of Information Act.

Nothing in this subsection is intended to impose additional liability on a law enforcement officer or agency acting in good faith compliance with this subsection.

(Source: P.A. 104-290, eff. 11-13-25.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act."

Floor Amendment No. 2 was referred to the Committee on Criminal Law earlier today.

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

On motion of Senator Edly-Allen, **Senate Bill No. 3076** having been printed, was taken up, read by title a second time.

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

Floor Amendment No. 2 was referred to the Committee on Local Government earlier today.

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

On motion of Senator Aquino, **Senate Bill No. 3183** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3183

AMENDMENT NO. 1. Amend Senate Bill 3183 by replacing everything after the enacting clause with the following:

"Section 5. The Attorney General Act is amended by changing Section 6.3 as follows:

(15 ILCS 205/6.3)

Sec. 6.3. Worker Protection Unit.

(a) The General Assembly finds that the welfare and prosperity of all Illinois citizens and businesses requires the establishment of a Unit within the Attorney General's Office dedicated to combatting businesses that underpay their employees, force their employees to work in unsafe conditions, and gain an unfair economic advantage by avoiding their tax and labor responsibilities. The Worker Protection Unit shall be focused on protecting the State's workforce to ensure workers are paid properly, guarantee safe workplaces, and allow law-abiding business owners to thrive through healthy and fair competition. Businesses that violate the State's worker protection laws put a greater burden on taxpayers by hurting the State's ability to provide critical services; compliant businesses cannot compete against those who gain an unfair advantage by evading their responsibilities.

(b) There is created within the Office of the Attorney General a Worker Protection Unit, consisting of Assistant Attorneys General appointed by the Attorney General, who, together with other staff as deemed necessary by the Attorney General, shall have the power and duty on behalf of persons within this State, to intervene in, initiate, and enforce all legal proceedings on matters related to the payment of wages, the safety of the workplace, and fair employment practices, including, without limitation, the provisions of the Prevailing Wage Act, the Employee Classification Act, the Minimum Wage Law, the Day and Temporary Labor Services Act, ~~or~~ the Wage Payment and Collection Act, and any other law regarding labor or employment in this State, whenever the Attorney General determines that such action is necessary to protect the rights and interests of Illinois workers and Illinois businesses.

(c) Prior to initiating an action, the Attorney General shall conduct an investigation and may: (1) require an individual or entity to file a statement or report in writing under oath or otherwise, as to all information the Attorney General may consider necessary; (2) examine under oath any person alleged to have participated in or with knowledge of the alleged violation; ~~or~~ (3) issue subpoenas for documents; (4) require written answers under oath to written interrogatories; (5) ~~or~~ conduct hearings in aid of any investigation; (6) inspect the premises of an employer and inspect and make copies of employment-related records kept at the premises during normal business or working hours or at other reasonable times; and (7) conduct interviews with employees at an employer's premises during normal business or working hours or at other reasonable times.

(c-5) An employer, or an agent of the employer, who is subject to an investigation by the Attorney General shall make all reasonable efforts to cooperate with the investigation, including, without limitation, by making the employer's premises and records available for inspection and by permitting the employer's employees to participate in confidential interviews conducted by the Attorney General. An employer who is subject to an investigation by the Attorney General under this Section has the right to be assisted by counsel.

(c-10) Any individual, including an employee, who voluntarily participates in an interview conducted by the Attorney General or otherwise provides information to the Attorney General related to an investigation conducted by the Worker Protection Unit is a confidential government informer for purposes of asserting the government informer's privilege.

(c-15) The production of documentary material in response to a subpoena served in accordance with this Section shall be made under a sworn certificate, in such form as the subpoena designates, by the person, if a natural person, to whom the demand is directed or, if not a natural person, by a person or persons having knowledge of the facts and circumstances relating to the production, to the effect that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been produced and made available to the custodian. All answers to interrogatories and statements or reports produced in writing shall be accompanied by a statement under oath attesting to the accuracy of the answers.

(c-20) Any person who has been served a subpoena issued under this Section may file, in the Circuit Court of Sangamon or Cook County or the circuit court of the county in which the witness resides, is found, or transacts business, a petition for an order to modify or set aside the subpoena. A petition filed with the circuit court under this subsection shall be filed with the court and served on the Attorney General within 20 days after the date of service of the subpoena or at any time before the return date specified in the subpoena, whichever date is earlier, or within a longer period as may be prescribed in writing by the Attorney General. The petition shall specify the grounds upon which the petitioner relies in seeking relief.

(c-25) If a witness served with a subpoena by the Attorney General under this Act fails or refuses to attend a proceeding and provide testimony, produce documentary materials or interrogatory answers, grant access to the premises, records, or employees of the witness, or otherwise comply with the subpoena, the Attorney General may petition the Circuit Court of Sangamon or Cook County, or the circuit court in the county in which the witness resides, for an order requiring the witness to comply with the subpoena. The court's order shall require the witness comply with the subpoena by a specified date and provide a date on which the witness shall show cause in court as to why the witness should not be held in contempt of court if the witness fails to comply with the order. If the witness is held in contempt of court, the Attorney General may seek a writ of attachment, monetary fine, or an equivalent court order.

(c-30) An individual, including an employer, an agent of the employer, or the officer or agent of any private employer, who, with the intent to avoid, evade, prevent, or obstruct compliance in whole or in part by any person who has been served a subpoena by the Attorney General under this Section, knowingly removes from any place, conceals, withholds, destroys, mutilates, alters, or by any other means falsifies any documentary material that is the subject of the subpoena is guilty of a Class A misdemeanor.

(c-35) If, in the course of an investigation conducted in accordance with subsection (c), the Attorney General believes that relevant evidence of a violation of a law enforced by the Worker Protection Unit as set forth in subsection (b) is located at the premises of an employer or in an employer's records and if the employer has refused to allow the Attorney General to inspect the premises or the Attorney General has reasonable cause to believe that an immediate inspection of the premises is necessary to carry out its investigation, then the Attorney General may file or cause to be filed an application for an administrative inspection warrant. The issuance and execution of an administrative inspection warrant shall be as follows:

(1) A judge of a circuit court, upon proper oath or affirmation showing probable cause, may issue warrants for the purpose of conducting administrative inspections and seizures of property

appropriate to the inspections. For the purposes of the issuance of an administrative inspection warrant, probable cause exists upon the showing of a valid public interest in the effective enforcement of any statute enforced by the Worker Protection Unit, sufficient to justify administrative inspection of the employer's premises or records.

(2) An administrative inspection warrant shall be issued only after receipt of an affidavit of a person having knowledge of the facts alleged that establishes the grounds for issuing the administrative inspection warrant. If the circuit judge is satisfied that there is probable cause to believe that grounds for issuance of an administrative inspection warrant exist, the judge shall issue an administrative inspection warrant. The administrative inspection warrant shall:

(A) state the grounds for its issuance and the name of each person whose affidavit has been taken in support of the warrant;

(B) be directed to an Assistant Attorney General appointed by the Attorney General or to other staff of the Office of the Attorney General who will execute the warrant;

(C) command the person to whom it is directed to inspect the identified premises or records for the purposes specified in the warrant and, if appropriate, direct the seizure of the identified records or other property;

(D) identify the item or types of property to be seized, if any; and

(E) direct that the warrant may be served at any time of the day or night and designate the circuit court judge to whom it shall be returned.

(3) An administrative inspection warrant issued under this subsection must be executed and returned within 10 days after the date of its issuance, unless, upon a showing of a need for additional time, the court that issued the inspection warrant orders otherwise. If property is seized in accordance with an administrative inspection warrant, a copy of the inventory of the seized property shall be given to the person from whom or from whose controlled premises the property is taken. If no person is available, the inspection warrant and a copy of the inventory shall be left at the controlled premises. The inventory shall be made under oath by the person executing the warrant.

(4) An administrative inspection warrant shall be returnable before the judge of the circuit court who issued the inspection warrant or any judge named in the inspection warrant or before the circuit court. The judge before whom the return is made shall attach to the administrative inspection warrant a copy of the return and all papers returnable in connection with the warrant and file them with the clerk of the circuit court in which the inspection warrant is executed.

(5) No warrant shall be quashed or evidence suppressed because of technical irregularities not affecting the substantial rights of the person responsible for the employer's premises or property.

(6) This subsection does not prevent the inspection without a warrant of books and records produced in accordance with a subpoena issued under subsection (c).

(7) No administrative inspection warrant shall be issued under this subsection with the intent of obtaining evidence for an ongoing criminal investigation.

(d) In an action brought under this Section, the Attorney General may obtain, as a remedy, monetary damages to the State, restitution, and equitable relief, including any permanent or preliminary injunction, temporary restraining order, or other order, including an order enjoining the defendant from engaging in a violation, or order any action as may be appropriate. In addition, the Attorney General may request and the court may impose a civil penalty against any person or entity found by the court to have violated any law regarding labor or employment in this State, including the Prevailing Wage Act, the Employee Classification Act, the Minimum Wage Law, the Day and Temporary Labor Services Act, the Wage Payment and Collection Act, or any other law related to the payment of wages, the safety of the workplace, or fair employment practices, in a sum not to exceed the maximum amount of any civil penalty prescribed by law. Neither the State nor an aggrieved individual may recover monetary relief, including civil penalties, in more than one proceeding related to the same violation.

(e) Upon the Attorney General's request, the Illinois Department of Labor shall provide any materials or documents already in the Department's possession pertaining to the enforcement of this Section. The Office of the Attorney General may use information obtained under this Section, including information that is designated as and that qualifies for confidential treatment, which information the Attorney General's Office shall maintain as confidential, for law enforcement purposes only, which information may be shared with other law enforcement officials. Nothing in this Section is intended to take away or limit any powers of the Attorney General under common law or other statutory law.

(f) All information and documentary materials that are obtained by the Attorney General under this Section are exempt from disclosure under the Freedom of Information Act. This exemption applies to all information and documentary materials the Attorney General obtains through an investigation under this Act.

Except as otherwise provided in this Section, no documentary materials, transcripts of oral testimony, or answers to interrogatories, or copies of those items, in the possession of the Attorney General shall be available for examination by any individual other than an authorized employee or agent of the Attorney General or a federal, State, or local law enforcement official without the consent of the person who produced the documentary materials, oral testimony, or answers. The Attorney General may provide copies of the documentary materials, transcripts of oral testimony, or answers to interrogatories to an official of this State, the federal government, or another state, who is charged with the enforcement of federal or State employment, antitrust, or consumer protection laws, if the receiving official agrees in writing, before the disclosure, that the information may not be disclosed to anyone other than the official or the official's authorized employees.

The Attorney General may, in the Attorney General's discretion, use information and documentary materials obtained in the course of an investigation pursuant to this Act for law enforcement purposes, including, but not limited to, interviewing or questioning potential witnesses and consultants, in a complaint or other pleading, and in court proceedings.

(Source: P.A. 101-527, eff. 1-1-20.)

Section 10. The Freedom of Information Act is amended by changing Section 7.5 as follows:
(5 ILCS 140/7.5)

(Text of Section before amendment by P.A. 104-441 and 104-457)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmitted infection or any information the disclosure of which is restricted under the Illinois Sexually Transmitted Infection Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act (repealed). This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Department of Transportation under Sections 2705-300 and 2705-616 of the Department of Transportation Law of the Civil Administrative Code of Illinois, the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act, or the St. Clair County Transit District under the Bi-State Transit Safety Act (repealed).

(q) Information prohibited from being disclosed by the Personnel Record Review Act.

(r) Information prohibited from being disclosed by the Illinois School Student Records Act.

(s) Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act.

(t) (Blank).

(u) Records and information provided to an independent team of experts under the Developmental Disability and Mental Health Safety Act (also known as Brian's Law).

(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(v-5) Records of the Firearm Owner's Identification Card Review Board that are exempted from disclosure under Section 10 of the Firearm Owners Identification Card Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

(ee) Information that is exempted from disclosure under Section 30.1 of the Pharmacy Practice Act.

(ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.

(gg) Information that is prohibited from being disclosed under Section 7-603.5 of the Illinois Vehicle Code.

(hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.

(ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.

(jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.

(kk) Information prohibited from disclosure under the Seizure and Forfeiture Reporting Act.

(ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.

(mm) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.

(nn) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.

(oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.

(pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.

(qq) Information and records held by the Department of Public Health and its authorized representatives collected under the Reproductive Health Act.

(rr) Information that is exempt from disclosure under the Cannabis Regulation and Tax Act.

(ss) Data reported by an employer to the Department of Human Rights pursuant to Section 2-108 of the Illinois Human Rights Act.

(tt) Recordings made under the Children's Advocacy Center Act, except to the extent authorized under that Act.

(uu) Information that is exempt from disclosure under Section 50 of the Sexual Assault Evidence Submission Act.

(vv) Information that is exempt from disclosure under subsections (f) and (j) of Section 5-36 of the Illinois Public Aid Code.

(ww) Information that is exempt from disclosure under Section 16.8 of the State Treasurer Act.

(xx) Information that is exempt from disclosure or information that shall not be made public under the Illinois Insurance Code.

(yy) Information prohibited from being disclosed under the Illinois Educational Labor Relations Act.

(zz) Information prohibited from being disclosed under the Illinois Public Labor Relations Act.

(aaa) Information prohibited from being disclosed under Section 1-167 of the Illinois Pension Code.

(bbb) Information that is prohibited from disclosure by the Illinois Police Training Act and the Illinois State Police Act.

(ccc) Records exempt from disclosure under Section 2605-304 of the Illinois State Police Law of the Civil Administrative Code of Illinois.

(ddd) Information prohibited from being disclosed under Section 35 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act.

(eee) Information prohibited from being disclosed under subsection (b) of Section 75 of the Domestic Violence Fatality Review Act.

(fff) Images from cameras under the Expressway Camera Act and all automated license plate reader (ALPR) information used and collected by the Illinois State Police. "ALPR information" means information gathered by an ALPR or created from the analysis of data generated by an ALPR. This subsection (fff) is inoperative on and after July 1, 2028.

(ggg) Information prohibited from disclosure under paragraph (3) of subsection (a) of Section 14 of the Nurse Agency Licensing Act.

(hhh) Information submitted to the Illinois State Police in an affidavit or application for an assault weapon endorsement, assault weapon attachment endorsement, .50 caliber rifle endorsement, or .50 caliber cartridge endorsement under the Firearm Owners Identification Card Act.

(iii) Data exempt from disclosure under Section 50 of the School Safety Drill Act.

(jjj) Information exempt from disclosure under Section 30 of the Insurance Data Security Law.

(kkk) Confidential business information prohibited from disclosure under Section 45 of the Paint Stewardship Act.

(lll) Data exempt from disclosure under Section 2-3.196 of the School Code.

(mmm) Information prohibited from being disclosed under subsection (e) of Section 1-129 of the Illinois Power Agency Act.

(nnn) Materials received by the Department of Commerce and Economic Opportunity that are confidential under the Music and Musicians Tax Credit and Jobs Act.

(ooo) Data or information provided pursuant to Section 20 of the Statewide Recycling Needs and Assessment Act.

(ppp) Information that is exempt from disclosure under Section 28-11 of the Lawful Health Care Activity Act.

(qqq) Information that is exempt from disclosure under Section 7-101 of the Illinois Human Rights Act.

(rrr) Information prohibited from being disclosed under Section 4-2 of the Uniform Money Transmission Modernization Act.

(sss) Information exempt from disclosure under Section 40 of the Student-Athlete Endorsement Rights Act.

(ttt) Audio recordings made under Section 30 of the Illinois State Police Act, except to the extent authorized under that Section.

(uuu) Information prohibited from being disclosed under Section 30-5 of the Digital Assets Regulation Act.

(www) Information and documentary materials obtained by the Office of the Attorney General under Section 6.3 of the Attorney General Act that are exempt from disclosure under that Section.

(Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25; 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; revised 9-10-25.)

(Text of Section after amendment by P.A. 104-457 but before 104-441)

Sec. 7.5. Statutory exemptions. To the extent provided for by the statutes referenced below, the following shall be exempt from inspection and copying:

(a) All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act.

(b) Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act.

(c) Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.

(d) Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmitted infection or any information the disclosure of which is restricted under the Illinois Sexually Transmitted Infection Control Act.

(e) Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act.

(f) Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act.

(g) Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act.

(h) Information the disclosure of which is exempted under the State Officials and Employees Ethics Act, and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.

(i) Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code.

(j) Information and data concerning the distribution of surcharge moneys collected and remitted by carriers under the Emergency Telephone System Act.

(k) Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code.

(l) Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act.

(m) Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act, except to the extent authorized under that Article.

(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act (repealed). This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

(o) Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act.

(p) Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected, or prepared by or for the Department of Transportation under Sections 2705-300 and 2705-616 of the Department of Transportation Law of the Civil Administrative Code of Illinois, the Northern Illinois Transit Authority under Section 2.11 of the Northern Illinois Transit Authority Act, or the St. Clair County Transit District under the Bi-State Transit Safety Act (repealed).

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(v) Names and information of people who have applied for or received Firearm Owner's Identification Cards under the Firearm Owners Identification Card Act or applied for or received a concealed carry license under the Firearm Concealed Carry Act, unless otherwise authorized by the Firearm Concealed Carry Act; and databases under the Firearm Concealed Carry Act, records of the Concealed Carry Licensing Review Board under the Firearm Concealed Carry Act, and law enforcement agency objections under the Firearm Concealed Carry Act.

(v-5) Records of the Firearm Owner's Identification Card Review Board that are exempted from disclosure under Section 10 of the Firearm Owners Identification Card Act.

(w) Personally identifiable information which is exempted from disclosure under subsection (g) of Section 19.1 of the Toll Highway Act.

(x) Information which is exempted from disclosure under Section 5-1014.3 of the Counties Code or Section 8-11-21 of the Illinois Municipal Code.

(y) Confidential information under the Adult Protective Services Act and its predecessor enabling statute, the Elder Abuse and Neglect Act, including information about the identity and administrative finding against any caregiver of a verified and substantiated decision of abuse, neglect, or financial exploitation of an eligible adult maintained in the Registry established under Section 7.5 of the Adult Protective Services Act.

(z) Records and information provided to a fatality review team or the Illinois Fatality Review Team Advisory Council under Section 15 of the Adult Protective Services Act.

(aa) Information which is exempted from disclosure under Section 2.37 of the Wildlife Code.

(bb) Information which is or was prohibited from disclosure by the Juvenile Court Act of 1987.

(cc) Recordings made under the Law Enforcement Officer-Worn Body Camera Act, except to the extent authorized under that Act.

(dd) Information that is prohibited from being disclosed under Section 45 of the Condominium and Common Interest Community Ombudsperson Act.

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(ff) Information that is exempted from disclosure under the Revised Uniform Unclaimed Property Act.

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- (hh) Records that are exempt from disclosure under Section 1A-16.7 of the Election Code.
- (ii) Information which is exempted from disclosure under Section 2505-800 of the Department of Revenue Law of the Civil Administrative Code of Illinois.
- (jj) Information and reports that are required to be submitted to the Department of Labor by registering day and temporary labor service agencies but are exempt from disclosure under subsection (a-1) of Section 45 of the Day and Temporary Labor Services Act.
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(n) Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act (repealed). This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.

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- (ll) Information the disclosure of which is restricted and exempted under Section 5-30.8 of the Illinois Public Aid Code.
- (mm) Records that are exempt from disclosure under Section 4.2 of the Crime Victims Compensation Act.
- (nn) Information that is exempt from disclosure under Section 70 of the Higher Education Student Assistance Act.
- (oo) Communications, notes, records, and reports arising out of a peer support counseling session prohibited from disclosure under the First Responders Suicide Prevention Act.
- (pp) Names and all identifying information relating to an employee of an emergency services provider or law enforcement agency under the First Responders Suicide Prevention Act.
- (qq) Information and records held by the Department of Public Health and its authorized representatives collected under the Reproductive Health Act.
- (rr) Information that is exempt from disclosure under the Cannabis Regulation and Tax Act.
- (ss) Data reported by an employer to the Department of Human Rights pursuant to Section 2-108 of the Illinois Human Rights Act.
- (tt) Recordings made under the Children's Advocacy Center Act, except to the extent authorized under that Act.
- (uu) Information that is exempt from disclosure under Section 50 of the Sexual Assault Evidence Submission Act.
- (vv) Information that is exempt from disclosure under subsections (f) and (j) of Section 5-36 of the Illinois Public Aid Code.
- (ww) Information that is exempt from disclosure under Section 16.8 of the State Treasurer Act.
- (xx) Information that is exempt from disclosure or information that shall not be made public under the Illinois Insurance Code.
- (yy) Information prohibited from being disclosed under the Illinois Educational Labor Relations Act.
- (zz) Information prohibited from being disclosed under the Illinois Public Labor Relations Act.
- (aaa) Information prohibited from being disclosed under Section 1-167 of the Illinois Pension Code.
- (bbb) Information that is prohibited from disclosure by the Illinois Police Training Act and the Illinois State Police Act.
- (ccc) Records exempt from disclosure under Section 2605-304 of the Illinois State Police Law of the Civil Administrative Code of Illinois.
- (ddd) Information prohibited from being disclosed under Section 35 of the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act.
- (eee) Information prohibited from being disclosed under subsection (b) of Section 75 of the Domestic Violence Fatality Review Act.
- (fff) Images from cameras under the Expressway Camera Act and all automated license plate reader (ALPR) information used and collected by the Illinois State Police. "ALPR information" means information gathered by an ALPR or created from the analysis of data generated by an ALPR. This subsection (fff) is inoperative on and after July 1, 2028.

(ggg) Information prohibited from disclosure under paragraph (3) of subsection (a) of Section 14 of the Nurse Agency Licensing Act.

(hhh) Information submitted to the Illinois State Police in an affidavit or application for an assault weapon endorsement, assault weapon attachment endorsement, .50 caliber rifle endorsement, or .50 caliber cartridge endorsement under the Firearm Owners Identification Card Act.

(iii) Data exempt from disclosure under Section 50 of the School Safety Drill Act.

(jjj) Information exempt from disclosure under Section 30 of the Insurance Data Security Law.

(kkk) Confidential business information prohibited from disclosure under Section 45 of the Paint Stewardship Act.

(lll) Data exempt from disclosure under Section 2-3.196 of the School Code.

(mmm) Information prohibited from being disclosed under subsection (e) of Section 1-129 of the Illinois Power Agency Act.

(nnn) Materials received by the Department of Commerce and Economic Opportunity that are confidential under the Music and Musicians Tax Credit and Jobs Act.

(ooo) Data or information provided pursuant to Section 20 of the Statewide Recycling Needs and Assessment Act.

(ppp) Information that is exempt from disclosure under Section 28-11 of the Lawful Health Care Activity Act.

(qqq) Information that is exempt from disclosure under Section 7-101 of the Illinois Human Rights Act.

(rrr) Information prohibited from being disclosed under Section 4-2 of the Uniform Money Transmission Modernization Act.

(sss) Information exempt from disclosure under Section 40 of the Student-Athlete Endorsement Rights Act.

(ttt) Audio recordings made under Section 30 of the Illinois State Police Act, except to the extent authorized under that Section.

(uuu) Information prohibited from being disclosed under Section 30-5 of the Digital Assets Regulation Act.

(vvv) ~~(uuu)~~ Information exempt from disclosure under Section 70 of the End-of-Life Options for Terminally Ill Patients Act.

(www) Information and documentary materials obtained by the Office of the Attorney General under Section 6.3 of the Attorney General Act that are exempt from disclosure under that Section.

(Source: P.A. 103-8, eff. 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372, eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff. 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786, eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25; 104-10, eff. 6-16-25; 104-18, eff. 6-30-25; 104-417, eff. 8-15-25; 104-428, eff. 8-18-25; 104-441, eff. 9-12-26; 104-457, eff. 6-1-26; revised 1-7-26.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act."

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.

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

On motion of Senator D. Turner, **Senate Bill No. 3222** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 3223** having been printed, was taken up, 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 SENATE BILL 3223

AMENDMENT NO. 1. Amend Senate Bill 3223 on page 5, line 18, after "sale" by inserting "and notifying the prescriber in a timely manner".

Floor Amendment No. 2 was referred to the Committee on Licensed Activities earlier today.

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

On motion of Senator Joyce, **Senate Bill No. 3290** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3290

AMENDMENT NO. 1. Amend Senate Bill 3290 by replacing everything after the enacting clause with the following:

"Section 5. The Cycle Rider Safety Training Act is amended by changing Section 2, 2.03a, and 4 and by adding Sections 2.03b and 2.07 as follows:

(625 ILCS 35/2) (from Ch. 95 1/2, par. 802)

Sec. 2. As used in this Act, the terms specified in Sections 2.01 through 2.07 ~~2.06~~ have the meanings ascribed to them in those Sections unless the context clearly requires a different meaning.

(Source: P.A. 82-649.)

(625 ILCS 35/2.03a)

Sec. 2.03a. Cycle Rider Safety Training Course Provider. "Cycle Rider Safety Training Course Provider" ~~and "provider"~~ means a community college, State university, State or local government agency, or for-profit or nonprofit business entity in good standing and operating in the State that is capable of providing courses meeting the definition in this Act in accordance with the rules set forth by the Department and the regulations of this Act. "Cycle Rider Safety Training Course Provider" ~~and "provider"~~ does not include any business registered as a motorcycle dealer with the Secretary of State or any other business that derives income from the selling of motorcycles or has motorcycles for sale at its place of business on a consignment basis.

(Source: P.A. 104-408, eff. 1-1-26.)

(625 ILCS 35/2.03b new)

Sec. 2.03b. Dealer Provider. "Dealer Provider" means any business registered as a motorcycle dealer holding a vehicle Dealer License with the Secretary of State and is a registered school with the Secretary of State.

(625 ILCS 35/2.07 new)

Sec. 2.07. Provider. "Provider" means a Cycle Rider Safety Training Course Provider or Dealer Provider.

(625 ILCS 35/4) (from Ch. 95 1/2, par. 804)

Sec. 4. Cycle Rider Safety Training Courses.

(a) The Department shall, on an as needed basis, put out notices to the public seeking Cycle Rider Safety Training Course Providers or Dealer Providers to provide courses in this State. Such courses shall be open to all residents of the State who hold a currently valid driver's license and who have reached their 16th birthday before the first day of the course to be held. Such courses may be offered throughout the calendar year.

Providers may charge a nominal registration fee set by the Department, which shall be refunded upon completion of the course.

Responses from potential providers shall include, at a minimum, the location where classes are to be held at, the number of students they intend to train, whether they would be providing motorcycles or using motorcycles provided by the program, and the cost for courses provided on a per student basis.

Contracts shall be awarded by the Department to providers based on training needs and cost effectiveness of each bid or proposal as well as the provider's organizational capacity to satisfactorily discharge Cycle Rider Safety Training Courses.

(b) A Cycle Rider Safety Training Course Provider ~~provider~~ shall only be paid grant funds under one of the following conditions:

- (1) a course was held, in which case the provider shall be paid per student rate multiplied by the number of students present on the first day of the course;
- (2) expenses submitted related to the maintenance of program equipment; or
- (3) submitting other non-personnel expenses as deemed appropriate by the Department.

(c) A Cycle Rider Safety Training Course Provider ~~provider~~ awarded a contract with grant funding under this Act shall:

- (1) submit proof to the Department that each instructor employed by the provider meets the qualifications to teach the curriculum for the courses;
- (2) have at least one employee on staff certified to do quality assurance or quality control visits where instructors are evaluated per curriculum standards on teaching;
- (3) perform at least one quality assurance or quality control visit on each instructor employed during the year and submit the results of those visits to the Department;
- (4) maintain appropriate liability insurance to cover training activities;
- (5) submit requests for payment in a timely manner; and
- (6) adhere to additional program rules and regulations as determined by the Department.

(d) A Cycle Rider Safety Training Course Provider ~~provider~~ awarded a contract with grant funding under this Act and a dealer provider operating under subsection (c) shall not adopt any policy, requirement, or expectation regarding employee's manner of dress outside of the employee's scheduled work hours, nor may the provider pose any questions regarding such on job applications or during interviews with potential employees.

(e) A Dealer Provider may provide courses under this Act to the public for a fee which shall not be refunded. A Dealer Provider may set up ranges and courses without responding to notices from the Department as described in subsection (a) and are ineligible for grant funds from the Cycle Rider Safety Training Fund as described in subsection (b). A Dealer Provider offering courses under this subsection shall:

- (1) submit proof to the Department that each instructor employed by the Dealer Provider meets the qualifications to teach the curriculum for the courses;
- (2) have at least one employee on staff certified to do quality assurance or quality control visits where instructors are evaluated per curriculum standards on teaching;
- (3) perform at least one quality assurance or quality control visit on each instructor employed during the year and submit the results of those visits to the Department;
- (4) maintain appropriate liability insurance to cover training activities; and
- (5) adhere to rules as determined by the Department.

(Source: P.A. 104-408, eff. 1-1-26)."

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

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

On motion of Senator Edly-Allen, **Senate Bill No. 3314** having been printed, was taken up, read by title a second time.

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

Floor Amendment Nos. 2 and 3 were referred to the Committee on Higher Education earlier today.

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

On motion of Senator Martwick, **Senate Bill No. 3401** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 3404** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **Senate Bill No. 3527** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3527

AMENDMENT NO. 1. Amend Senate Bill 3527 as follows:

on page 6, line 11, after "person", by inserting "shall not"; and

on page 13, line 17, by replacing "may" with "shall".

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

On motion of Senator Fine, **Senate Bill No. 3750** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3750

AMENDMENT NO. 1. Amend Senate Bill 3750 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Code is amended by changing Sections 1-109, 1-129, 2-107, 2-107.1, 3-611, and 3-807 and by adding Section 1-103.5 as follows:

(405 ILCS 5/1-103.5 new)

Sec. 1-103.5. Confinement. "Confinement", with respect to a mental health facility, means that an individual is prevented or otherwise not permitted to leave the facility.

(405 ILCS 5/1-109) (from Ch. 91 1/2, par. 1-109)

Sec. 1-109. "Discharge" means the full and physical release of any person admitted or otherwise detained under this Act from treatment, habilitation, or care and custody.

(Source: P.A. 80-1414.)

(405 ILCS 5/1-129)

Sec. 1-129. Mental illness. "Mental illness" means a mental, or emotional disorder that substantially impairs a person's thought, perception of reality, emotional process, judgment, behavior, or ability to cope with the ordinary demands of life, but does not include a developmental disability, a neurocognitive disorder ~~dementia or Alzheimer's disease~~ absent psychosis, a substance use disorder, or an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

(Source: P.A. 100-759, eff. 1-1-19.)

(405 ILCS 5/2-107) (from Ch. 91 1/2, par. 2-107)

Sec. 2-107. Refusal of services; informing of risks.

(a) An adult recipient of services or the recipient's guardian, if the recipient is under guardianship, and the recipient's substitute decision maker, if any, must be informed of the recipient's right to refuse medication or electroconvulsive therapy. The recipient and the recipient's guardian or substitute decision maker shall be given the opportunity to refuse generally accepted mental health or developmental disability services, including but not limited to medication or electroconvulsive therapy. If such services are refused, they shall not be given unless such services are necessary to prevent the recipient from causing serious and imminent physical harm to the recipient or others and no less restrictive alternative is available. The facility director shall inform a recipient, guardian, or substitute decision maker, if any, who refuses such services of alternate services available and the risks of such alternate services, as well as the possible consequences to the recipient of refusal of such services.

(b) Psychotropic medication or electroconvulsive therapy may be administered under this Section for up to 24 hours only if the circumstances leading up to the need for emergency treatment are set forth in writing in the recipient's record.

(c) Administration of medication or electroconvulsive therapy may not be continued unless the need for such treatment is redetermined at least every 24 hours based upon a personal examination of the recipient by a physician or a nurse under the supervision of a physician and the circumstances demonstrating that need are set forth in writing in the recipient's record.

(d) Neither psychotropic medication nor electroconvulsive therapy may be administered under this Section for a period in excess of 72 hours, excluding Saturdays, Sundays, and holidays, unless a petition is filed under Section 2-107.1 and the treatment continues to be necessary under subsection (a) of this Section.

Once the petition has been filed, treatment may continue in compliance with subsections (a), (b), and (c) of this Section until the final outcome of the hearing on the petition.

(e) The Department shall issue rules designed to ensure ~~insure~~ that in State-operated mental health facilities psychotropic medication and electroconvulsive therapy are administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. The facility director of each mental health facility not operated by the State shall issue rules designed to ensure ~~insure~~ that in that facility psychotropic medication and electroconvulsive therapy are administered in accordance with this Section and only when appropriately authorized and monitored by a physician or a nurse under the supervision of a physician in accordance with accepted medical practice. Such rules shall be available for public inspection and copying during normal business hours.

(f) The provisions of this Section with respect to the emergency administration of psychotropic medication and electroconvulsive therapy do not apply to facilities licensed under the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act, or the MC/DD Act.

(g) Under no circumstances may long-acting psychotropic medications be administered under this Section.

(h) Whenever psychotropic medication or electroconvulsive therapy is refused pursuant to subsection (a) of this Section at least once that day, the physician or advanced practice psychiatric nurse shall determine and state in writing the reasons why the recipient did not meet the criteria for administration of medication or electroconvulsive therapy under subsection (a) and whether the recipient meets the standard for administration of psychotropic medication or electroconvulsive therapy under Section 2-107.1 of this Code. If the physician or advanced practice psychiatric nurse determines that the recipient meets the standard for administration of psychotropic medication or electroconvulsive therapy under Section 2-107.1, the facility director or his or her designee shall petition the court for administration of psychotropic medication or electroconvulsive therapy pursuant to that Section unless the facility director or his or her designee states in writing in the recipient's record why the filing of such a petition is not warranted. This subsection (h) applies only to State-operated mental health facilities.

(i) The Department shall conduct annual trainings for all physicians and registered nurses working in State-operated mental health facilities on the appropriate use of emergency administration of psychotropic medication and electroconvulsive therapy, standards for their use, and the methods of authorization under this Section.

(Source: P.A. 98-104, eff. 7-22-13; 99-180, eff. 7-29-15.)

(405 ILCS 5/2-107.1) (from Ch. 91 1/2, par. 2-107.1)

Sec. 2-107.1. Administration of psychotropic medication and electroconvulsive therapy upon application to a court.

(a) (Blank).

(a-5) Notwithstanding the provisions of Section 2-107 of this Code, psychotropic medication and electroconvulsive therapy may be administered to an adult recipient of services on an inpatient or outpatient basis without the informed consent of the recipient under the following standards:

(1) Any person 18 years of age or older, including any guardian, may petition the circuit court for an order authorizing the administration of psychotropic medication and electroconvulsive therapy to a recipient of services. The petition shall state that the petitioner has made a good faith attempt to determine whether the recipient has executed a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act and to obtain copies of these instruments if they exist. If either of the above-named instruments is available to the petitioner, the instrument or a copy of the instrument shall be attached to the petition as an exhibit. The petitioner shall deliver a copy of the petition, and notice of the time and place of the hearing, to the respondent, his or her attorney, any known agent or attorney-in-fact, if any, and the guardian, if any, no later than 3 days prior to the date of the hearing. Service of the petition and notice of the time and place of the hearing may be made by transmitting them via facsimile machine or secured electronic mail to the respondent or other party. Upon receipt of the petition and notice, the party served, ~~or the person delivering the petition and notice to the party served,~~ shall acknowledge service. If the party sending the petition and notice does not receive acknowledgement of service within 24 hours, service must be made by personal service. A petition requesting that the court authorize treatment with psychotropic medication shall specify the

full names of the medications and anticipated range of dosage that comprise such treatment. The petition also may include a request that the court authorize alternative or alternate treatments with psychotropic medications, but only where the petition sets forth the psychotropic medications and the anticipated range of dosages for each alternative or alternate and each combination of psychotropic medications that may be administered simultaneously.

The petition may include a request that the court authorize such testing and procedures as may be essential for the safe and effective administration of the psychotropic medication or electroconvulsive therapy sought to be administered, but only where the petition sets forth the specific testing and procedures sought to be administered.

If a hearing is requested to be held immediately following the hearing on a petition for involuntary admission, then the notice requirement shall be the same as that for the hearing on the petition for involuntary admission, and the petition filed pursuant to this Section shall be filed with the petition for involuntary admission.

(2) The court shall hold a hearing within 7 days of the filing of the petition. The People, the petitioner, or the respondent shall be entitled to a continuance of up to 7 days as of right. An additional continuance of not more than 7 days may be granted to any party (i) upon a showing that the continuance is needed in order to adequately prepare for or present evidence in a hearing under this Section or (ii) under exceptional circumstances. The court may grant an additional continuance not to exceed 21 days when, in its discretion, the court determines that such a continuance is necessary in order to provide the recipient with an examination pursuant to Section 3-803 or 3-804 of this Act, to provide the recipient with a trial by jury as provided in Section 3-802 of this Act, or to arrange for the substitution of counsel as provided for by the Illinois Supreme Court Rules. The hearing shall be separate from a judicial proceeding held to determine whether a person is subject to involuntary admission but may be heard immediately preceding or following such a judicial proceeding and may be heard by the same trier of fact or law as in that judicial proceeding.

(3) Unless otherwise provided herein, the procedures set forth in Article VIII of Chapter III of this Act, including the provisions regarding appointment of counsel, shall govern hearings held under this subsection (a-5).

(4) Psychotropic medication and electroconvulsive therapy may be administered to the recipient if and only if it has been determined by clear and convincing evidence that: ~~all of the following factors are present. In determining whether a person meets the criteria specified in the following paragraphs (A) through (G), the court may consider evidence of the person's history of serious violence, repeated past pattern of specific behavior, actions related to the person's illness, or past outcomes of various treatment options.~~

(A) ~~That~~ the recipient has a serious mental illness or developmental disability;:-

(B) ~~That~~ because of said mental illness or developmental disability, the recipient currently exhibits any one of the following: (i) deterioration of his or her ability to function, as compared to the recipient's ability to function prior to the current onset of symptoms of the mental illness or disability for which treatment is presently sought, (ii) suffering, or (iii) threatening behavior;:-

(C) ~~That~~ the illness or disability has existed for a period marked by the continuing presence of the symptoms set forth in item (B) of this subdivision (4) or the repeated episodic occurrence of these symptoms;:-

(D) ~~That~~ the benefits of the treatment outweigh the harm;:-

(E) ~~That~~ the recipient lacks the capacity to make a reasoned decision about the treatment;:-

(F) ~~That~~ other less restrictive services have been explored and found inappropriate; and-

(G) ~~if~~ if the petition seeks authorization for testing and other procedures, ~~that~~ such testing and procedures are essential for the safe and effective administration of the treatment.

(4.5) In determining whether there is clear and convincing evidence, the court may consider evidence presented, if any, about a recipient's history of serious violence, repeated past pattern of specific behavior related to the recipient's illness, or outcomes of past treatments.

(5) In no event shall an order issued under this Section be effective for more than 90 days. A second 90-day period of involuntary treatment may be authorized pursuant to a hearing that complies with the standards and procedures of this subsection (a-5). Thereafter, additional 180-day periods of involuntary treatment may be authorized pursuant to the standards and procedures of this Section without limit. If a new petition to authorize the administration of psychotropic medication or electroconvulsive therapy is filed at least 15 days prior to the expiration of the prior order, and if any

continuance of the hearing is agreed to by the recipient, the administration of the treatment may continue in accordance with the prior order pending the completion of a hearing under this Section.

(6) An order issued under this subsection (a-5) shall designate the persons authorized to administer the treatment under the standards and procedures of this subsection (a-5). Those persons shall have complete discretion not to administer any treatment authorized under this Section. The order shall also specify the medications and the anticipated range of dosages that have been authorized ~~and may include a list of any alternative medications and range of dosages deemed necessary.~~ In addition, the order may authorize the administration of any alternative or alternate treatment that is requested in the petition and for which the court finds clear and convincing evidence that the benefits of the alternative or alternate treatment outweigh the harm and the recipient lacks the capacity to make a reasoned decision about the treatment. The medications and the anticipated range of dosages for any alternative or alternate treatment that the court authorizes shall be included in the order. Where the simultaneous use of multiple psychotropic medications is authorized, the order shall specify the combinations that are authorized.

(a-10) The court may, in its discretion, appoint a guardian ad litem for a recipient before the court or authorize an existing guardian of the person to monitor treatment and compliance with court orders under this Section.

(b) A guardian may be authorized to consent to the administration of psychotropic medication or electroconvulsive therapy to an objecting recipient only under the standards and procedures of subsection (a-5).

(c) Notwithstanding any other provision of this Section, a guardian may consent to the administration of psychotropic medication or electroconvulsive therapy to a non-objecting recipient under Article XIa of the Probate Act of 1975.

(d) Nothing in this Section shall prevent the administration of psychotropic medication ~~or electroconvulsive therapy~~ to recipients in an emergency under Section 2-107 of this Act.

(e) Notwithstanding any of the provisions of this Section, psychotropic medication or electroconvulsive therapy may be administered pursuant to a power of attorney for health care under the Powers of Attorney for Health Care Law or a declaration for mental health treatment under the Mental Health Treatment Preference Declaration Act over the objection of the recipient if the recipient has not revoked the power of attorney or declaration for mental health treatment as provided in the relevant statute.

(f) The Department shall conduct annual trainings for physicians and registered nurses working in State-operated mental health facilities on the appropriate use of psychotropic medication and electroconvulsive therapy, standards for their use, and the preparation of court petitions under this Section before any such psychiatrists or advanced practice psychiatric nurses may petition the court or testify at a hearing under this Section.

(Source: P.A. 100-710, eff. 8-3-18.)

(405 ILCS 5/3-611) (from Ch. 91 1/2, par. 3-611)

Sec. 3-611. Filing petition, first certificate, and proof of service.

(a) Within 24 hours, excluding Saturdays, Sundays and holidays, after the respondent's admission under this Article, the facility director of the facility shall file 2 copies of the petition, the first certificate, and proof of service of the petition and statement of rights upon the respondent with the court in the county in which the facility is located.

(b) Upon completion of the second certificate, the facility director shall promptly file it with the court and provide a copy to the respondent.

(c) The facility director shall make copies of the certificates available to the attorneys for the parties upon request.

(d) Upon the filing of the petition and first certificate, the court shall set a hearing to be held within 5 days, excluding Saturdays, Sundays and holidays, after receipt of the petition. The court shall direct that notice of the time and place of the hearing be served upon the respondent, his responsible relatives, and the persons entitled to receive a copy of the petition pursuant to Section 3-609.

(e) For purposes of this Section, (1) a respondent is admitted to a mental health facility at the earlier of the respondent's confinement or receipt of treatment and (2) a respondent who is ordered discharged in accordance with Section 3-809 or subsection (b) of Section 3-901, or discharged upon notice by the facility director as provided by subsection (a) of Section 3-903, remains admitted to a mental health facility until the respondent is physically released from the mental health facility and thereafter physically enters a mental health facility.

(Source: P.A. 98-865, eff. 8-8-14.)

(405 ILCS 5/3-807) (from Ch. 91 1/2, par. 3-807)

Sec. 3-807. Testimony. No respondent may be found subject to involuntary admission on an inpatient or outpatient basis unless at least one psychiatrist, clinical social worker, clinical psychologist, advanced practice psychiatric nurse, or qualified examiner who has examined the respondent testifies in person at the hearing. No administration of psychotropic medication or electroconvulsive therapy without the informed consent of the recipient may be authorized unless at least one psychiatrist or advanced practice psychiatric nurse who has examined the recipient testifies in person at the hearing. The respondent may waive the requirement of the testimony subject to the approval of the court.

(Source: P.A. 101-587, eff. 1-1-20.)".

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

On motion of Senator Halpin, **Senate Bill No. 3880** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Criminal Law earlier today.

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 3897** having been printed, was taken up, 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 SENATE BILL 3897

AMENDMENT NO. 1. Amend Senate Bill 3897 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Sections 4.37 and 4.42 as follows:

(5 ILCS 80/4.37)

Sec. 4.37. Acts and Articles repealed on January 1, 2027. The following are repealed on January 1, 2027:

The Clinical Psychologist Licensing Act.

The Illinois Optometric Practice Act of 1987.

Articles II, III, IV, V, VI, VIIA, VIIC, XVII, XXXI, and XXXI 1/4 of the Illinois Insurance Code.

The Boiler and Pressure Vessel Repairer Regulation Act.

The Marriage and Family Therapy Licensing Act.

The Boxing and Full-contact Martial Arts Act.

~~The Cemetery Oversight Act.~~

~~The Community Association Manager Licensing and Disciplinary Act.~~

~~The Detection of Deception Examiners Act.~~

~~The Home Inspector License Act.~~

The Massage Licensing Act.

The Medical Practice Act of 1987.

The Petroleum Equipment Contractors Licensing Act.

The Radiation Protection Act of 1990.

~~The Real Estate Appraiser Licensing Act of 2002.~~

~~The Registered Interior Designers Act.~~

~~The Landscape Architecture Registration Act.~~

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

The Licensed Certified Professional Midwife Practice Act.

(Source: P.A. 102-20, eff. 6-25-21; 102-284, eff. 8-6-21; 102-437, eff. 8-20-21; 102-656, eff. 8-27-21; 102-683, eff. 10-1-22; 102-813, eff. 5-13-22; 103-371, eff. 1-1-24; 103-823, eff. 8-9-24.)

(5 ILCS 80/4.42)

Sec. 4.42. Acts repealed on January 1, 2032. The following Acts are repealed on January 1, 2032:

The Collateral Recovery Act.

[April 14, 2026]

The Cemetery Oversight Act.

The Community Association Manager Licensing and Disciplinary Act.

The Detection of Deception Examiners Act.

The Home Inspector License Act.

The Real Estate Appraiser Licensing Act of 2002.

The Registered Interior Designers Act.

The Landscape Architecture Registration Act.

(Source: P.A. 103-371, eff. 1-1-24.)

Section 10. The Auction License Act is amended by changing Sections 5-10, 10-1, 10-30, 10-40, 10-45, 15-15, 15-25, 20-15, 20-15.1, 20-16, 20-20, 20-30, 20-35, 20-40, 20-43, 20-55, 20-56, 25-110, and 30-7 as follows:

(225 ILCS 407/5-10)

(Section scheduled to be repealed on January 1, 2030)

Sec. 5-10. Definitions. As used in this Act:

"Advertisement" means any written, oral, or electronic communication that contains a promotion, inducement, or offer to conduct an auction or offer to provide an auction service, including but not limited to brochures, pamphlets, radio and television scripts, telephone and direct mail solicitations, electronic media, Internet online, and other means of promotion.

"Advisory Board" or "Board" means the Auctioneer Advisory Board.

"Auction" means the sale or lease of property, real or personal, by means of exchanges between an auctioneer and prospective purchasers or lessees, which consists of a series of invitations or bids for offers made by the auctioneer to prospective purchasers or lessees for the purpose of obtaining an acceptable offer for the sale or lease of property, ~~via mail, telecommunications, or the Internet online.~~

"Auction contract" means a written agreement between an auctioneer or auction firm and a seller or sellers.

"Auction firm" means any corporation, partnership, or limited liability company that ~~acts as an auctioneer and~~ provides an auction service.

"Auction school" means any educational institution, public or private, that offers a curriculum of auctioneer education and training approved by the Department.

"Auction service" means the service of arranging, managing, advertising, or conducting auctions.

"Auctioneer" means a person or entity who, for another, for a fee, compensation, commission, or any other valuable consideration at auction or with the intention or expectation of receiving valuable consideration by the means of or process of an auction or sale at auction or providing an auction service, offers, negotiates, or attempts to negotiate an auction contract, sale, purchase, or exchange of goods, chattels, merchandise, personal property, real property, or any commodity that may be lawfully kept or offered for sale by or at auction.

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department.

"Buyer premium" means any fee or compensation paid by the successful purchaser of property sold or leased at or by auction, to the auctioneer, auction firms, seller, lessor, or other party to the transaction, other than the purchase price.

"Department" means the Department of Financial and Professional Regulation.

"Division" means the Division of Real Estate within the Department.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file maintained by the Department's licensure maintenance unit.

"Estate sale" means a sale for liquidation of personal property of an estate owned by one or more individuals, families, or legal representatives of the estate that is advertised and scheduled for a predetermined amount of time and to which the public is invited to participate in a negotiation or bid for the purchase of the personal property.

"Estate sale service" means the performance of an auction service for the owners of personal property to be sold at an estate sale, where an auctioneer undertakes the responsibility of conducting the sale. "Estate sale service" does not include the sale of real property.

"Goods" means chattels, movable goods, merchandise, or personal property or commodities of any form or type that may be lawfully kept or offered for sale.

"Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet.

"Internet auction listing service" means a website on the Internet, or other interactive computer service, that is designed to allow or advertise as a means of allowing users to offer personal property or services for sale or lease to a prospective buyer or lessee through an online bid submission process using that website or interactive computer service and that does not examine, set the price, prepare the description of the personal property or service to be offered, or in any way utilize the services of a natural person as an auctioneer.

"Licensee" means any person licensed under this Act.

"Managing auctioneer" means any person licensed as an auctioneer who manages and supervises an auction firm licensees.

"Online auction" means an auction or auction service conducted by an auctioneer via a website on the Internet, an application, an interactive computer service, or other similar media.

"Person" means an individual, association, partnership, corporation, ~~or~~ limited liability company, or auction firm or the officers, directors, or employees of the same.

~~"Pre-renewal period" means the 24 months prior to the expiration date of a license issued under this Act.~~

"Real estate" means real estate as defined in Section 1-10 of the Real Estate License Act of 2000 or its successor Acts.

"Secretary" means the Secretary of Financial and Professional Regulation or the Secretary's ~~his or her~~ designee.

(Source: P.A. 104-145, eff. 1-1-26.)

(225 ILCS 407/10-1)

(Section scheduled to be repealed on January 1, 2030)

Sec. 10-1. Necessity of license; exemptions.

(a) It is unlawful for any person, corporation, limited liability company, partnership, or other entity to conduct an auction, provide an auction service, hold ~~oneself himself or herself~~ out as an auctioneer, or advertise ~~his or her~~ services as an auctioneer in the State of Illinois without a license issued by the Department under this Act, except at:

(1) an auction conducted solely by or for a not-for-profit organization for charitable purposes in which the individual receives no compensation;

(2) an auction conducted by the owner of the property, real or personal;

(3) an auction for the sale or lease of real property conducted by a licensee under the Real Estate License Act, or its successor Acts, in accordance with the terms of that Act;

(4) an auction conducted by a business registered as a market agency under the federal Packers and Stockyards Act (7 U.S.C. 181 et seq.) or under the Livestock Auction Market Law;

(5) an auction conducted by an agent, officer, or employee of a federal agency in the conduct of the agent's, officer's, or employee's ~~his or her~~ official duties; and

(6) an auction conducted by an agent, officer, or employee of the State government or any political subdivision thereof performing ~~his or her~~ official duties.

(b) Nothing in this Act shall be construed to apply to a new or used vehicle dealer or a vehicle auctioneer licensed by the Secretary of State of Illinois, or to any employee of the licensee, who is a resident of the State of Illinois, while the employee is acting in the regular scope of ~~his or her~~ employment for the licensee while conducting an auction that is not open to the public, provided that only new or used vehicle dealers, rebuilders, automotive parts recyclers, or scrap processors licensed by the Secretary of State or licensed by another state or jurisdiction may buy property at the auction, or to sales by or through the licensee. Out-of-state salvage vehicle buyers licensed in another state or jurisdiction may also buy property at the auction.

(c) Nothing in this Act shall be construed to prohibit a person under the age of 18 from selling property under \$250 in value while under the direct supervision of a licensed auctioneer.

(d) Nothing in this Act shall be construed to apply to a person providing an Internet auction listing service as defined in Section 5-10.

(e) Nothing in this Act shall be construed to apply to a third-party reseller of personal property where owners or representatives of an estate have transferred ownership of the property to the reseller to be sold

anonymously. A third-party reseller may include, but is not limited to, a retail seller, a consignment seller, or a distributor who does not conduct an estate sale.

(f) Nothing in this Section shall be construed to apply to any person as a receiver, trustee in bankruptcy, guardian, administrator, or executor; any such person acting under an order of any court, under the direction of any public authority, or pursuant to any judicial decree; or any such person acting pursuant to a trust agreement, deed of trust, or will.

(g) The licensing of auction firms required under this Act does not apply to an entity whose ownership structure consists of one licensed auctioneer operating either (i) a sole proprietorship, a single member limited liability company, or a single shareholder corporation, or (ii) a limited liability company, corporation, or partnership co-owned solely with the auctioneer's unlicensed spouse. The auctioneer owner or operator must be the only licensee performing auctions on the entity's behalf and shall comply with all other provisions of this Act.

(Source: P.A. 104-145, eff. 1-1-26.)

(225 ILCS 407/10-30)

(Section scheduled to be repealed on January 1, 2030)

Sec. 10-30. ~~Renewal, Expiration, renewal,~~ and continuing education.

(a) License expiration dates, renewal periods, renewal fees, and procedures for renewal of licenses issued under this Act shall be set by rule of the Department. The holder of a license under this Act may renew the license within 90 days preceding the license's expiration date by completing and submitting to the Department a renewal application in a manner prescribed by the Department and paying the required fees. An entity may renew its license by paying the required fee and by meeting the renewal requirements adopted by the Department under this Section.

(b) All individual renewal applicants must provide proof as determined by the Department of having met the continuing education requirements by the deadline set forth by the Department by rule. At a minimum, the rules shall require an applicant for renewal licensure as an auctioneer to provide proof of the completion of at least 12 hours of continuing education during the ~~pre-renewal~~ period established by the Department for completion of continuing education from schools approved by the Department, as established by rule.

(c) (Blank). The Department, in its discretion, may waive enforcement of the continuing education requirements of this Section and shall adopt rules defining the standards and criteria for such waiver.

(c-5) The expiration date and renewal period for an auction firm shall be set by rule. An auction firm whose license under this Act has expired may renew the license for a period of 2 years following the expiration date by complying with the requirements of this Section and paying any late penalties established by rule.

(d) (Blank).

(e) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or fee from a disciplinary matter or from a non-disciplinary action imposed by the Department until the fine or fee is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(f) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or civil penalty imposed by the Department for unlicensed practice until the fine or civil penalty is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(Source: P.A. 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

(225 ILCS 407/10-40)

(Section scheduled to be repealed on January 1, 2030)

Sec. 10-40. ~~Expiration, renewal, and restoration~~ Restoration.

(a) An auctioneer A licensee whose license has lapsed or expired shall have 2 years from the expiration date to renew the license restore licensure without examination. The expired licensee shall complete an make application to the Department on forms provided by the Department, provide evidence of successful completion of all 12 hours of approved continuing education during the period of time the license had lapsed, and pay all fees and penalties as established by rule.

(a-5) An auctioneer whose license has lapsed or expired for more than 2 years but less than 5 years may restore the license without examination by (i) applying to the Department, (ii) providing evidence of the licensee's successful completion of all hours of approved continuing education during the lapsed periods prior to the date of the application, (iii) paying the required fees, and (iv) satisfying any other requirements

as established by rule. An auctioneer whose license has been expired for more than 5 years shall be required to meet the requirements of a new license.

(b) Notwithstanding any other provisions of this Act to the contrary, any auctioneer licensee whose license under this Act has expired is eligible to renew or restore such license without paying any lapsed fees and penalties if the license expired while the auctioneer licensee was:

(1) on active duty with the United States Army, United States Marine Corps, United States Navy, United States Air Force, United States Coast Guard, the State Militia called into service or training;

(2) engaged in training or education under the supervision of the United States prior to induction into military service; or

(3) serving as an employee of the Department, while the employee was required to surrender the license.

An auctioneer licensee shall also be eligible to renew or restore a license under paragraphs (1), (2), and (3) without completing the continuing education requirements for that licensure period. For a period of 2 years following the termination of the service or education if the termination was by other than dishonorable discharge and the licensee furnishes the Department with an affidavit specifying that the license has been so engaged.

(c) At any time after the suspension, revocation, placement on probationary status, or other disciplinary action taken under this Act with reference to any license, the Department may restore the license to the licensee without examination upon the order of the Secretary, if the licensee submits a properly completed application, pays the appropriate fees, and otherwise complies with the conditions of the order.

(d) An auctioneer who notifies the Department, in a manner prescribed by the Department, may place a license on inactive status for a period not to exceed 2 years and shall be excused from the payment of renewal fees until the auctioneer notifies the Department in writing of auctioneer's intention to resume active practice.

(e) An auctioneer requesting that a license be changed from inactive to active status shall be required to pay the current renewal fee and shall also demonstrate compliance with the continuing education requirements.

(f) No licensee with a non-renewed or inactive license status shall provide auction services as set forth in this Act.

(Source: P.A. 103-236, eff. 1-1-24.)

(225 ILCS 407/10-45)

(Section scheduled to be repealed on January 1, 2030)

Sec. 10-45. Nonresident auctioneer reciprocity.

(a) An individual ~~A person~~ holding a license to engage in auctions issued to the individual him or her by the proper authority of a state, territory, or possession of the United States of America or the District of Columbia that has licensing requirements equal to or substantially equivalent to the requirements of this State and that otherwise meets the requirements of this Act may obtain a license under this Act without examination if:

(1) the Department has entered into a valid reciprocal agreement with the proper authority of the state, territory, or possession of the United States of America or the District of Columbia from which the nonresident applicant has a valid license;

(2) the applicant provides the Department with a certificate of good standing from the applicant's state of licensure;

(3) the applicant completes and submits an application as provided by the Department; and

(4) the applicant pays all applicable fees required under this Act.

(b) A nonresident applicant shall file an irrevocable consent with the Department that actions may be commenced against the applicant or nonresident licensee in a court of competent jurisdiction in this State by the service of summons, process, or other pleading authorized by the law upon the Secretary. The consent shall stipulate and agree that service of the process, summons, or pleading upon the Secretary shall be taken and held in all courts to be valid and binding as if actual service had been made upon the applicant in Illinois. If a summons, process, or other pleading is served upon the Secretary, it shall be by duplicate copies, one of which shall be retained by the Department and the other immediately forwarded by certified or registered mail or email to the last known business address or email address of record of the applicant or nonresident licensee against whom the summons, process, or other pleading may be directed.

(Source: P.A. 101-345, eff. 8-9-19.)

(225 ILCS 407/15-15)

(Section scheduled to be repealed on January 1, 2030)

Sec. 15-15. Supervisory duties. The auction firm and managing auctioneer shall have the duty and responsibility to supervise and ~~manage, and control~~ any ~~sponsored~~ licensee, agent, ~~or~~ employee, or representative of the auction firm that conducts auctions ~~while conducting an auction or provides~~ providing an auction services service. Any violation of this Act by a licensee, agent, or employee of an auction firm or managing auctioneer shall be deemed to be a violation by the auction firm or managing auctioneer as well as by the licensee, agent, or employee.

(Source: P.A. 101-345, eff. 8-9-19.)

(225 ILCS 407/15-25)

(Section scheduled to be repealed on January 1, 2030)

Sec. 15-25. Auction firm. No corporation, limited liability company, or partnership shall be licensed as an auction firm without being managed by a licensed auctioneer. The auction firm and managing auctioneer of the any auction firm shall be responsible for the actions of all licensed and unlicensed employees, agents, and representatives of said auction firm while the firm conducts auctions ~~is conducting an auction or provides~~ providing an auction services service.

(Source: P.A. 91-603, eff. 1-1-00.)

(225 ILCS 407/20-15)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-15. Disciplinary actions; grounds. The Department may refuse to issue or renew a license, may place on probation ~~or administrative supervision~~, suspend, or revoke any license or may reprimand or take other disciplinary or non-disciplinary action as the Department may deem proper, including the imposition of fines not to exceed \$10,000 for each violation upon any licensee or applicant under this Act or any person or entity who holds oneself out as an applicant or licensee for any of the following reasons:

(1) False or fraudulent representation or material misstatement in furnishing information to the Department in obtaining or seeking to obtain a license.

(2) Violation of any provision of this Act or the rules adopted under this Act.

(3) Conviction of or entry of a plea of guilty or nolo contendere, as set forth in subsection (c) of Section 10-5, to any crime that is a felony or misdemeanor under the laws of the United States or any state or territory thereof, or entry of an administrative sanction by a governmental ~~government~~ agency in this State or any other jurisdiction.

(3.5) Failing to notify the Department, within 30 days after the occurrence, of the information required in subsection (c) of Section 10-5.

(4) Being adjudged to be a person under legal disability or subject to involuntary admission or to meet the standard for judicial admission as provided in the Mental Health and Developmental Disabilities Code.

(5) Discipline of a licensee by another state, the District of Columbia, a territory of the United States, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or equivalent to one of the grounds for discipline set forth in this Act or for failing to report to the Department, within 30 days, any adverse final action taken against the licensee by any other licensing jurisdiction, governmental ~~government~~ agency, law enforcement agency, or court, or liability for conduct that would constitute grounds for action as set forth in this Act.

(6) Engaging in the practice of auctioneering, conducting an auction, or providing an auction service without a license or after the license was expired, revoked, suspended, or terminated or while the license was inoperative.

(7) Attempting to subvert or cheat on the auctioneer exam or any continuing education exam, or aiding or abetting another to do the same.

(8) Directly or indirectly giving to or receiving from a person, firm, corporation, partnership, or association a fee, commission, rebate, or other form of compensation for professional service not actually or personally rendered, except that an auctioneer licensed under this Act may receive a fee from another licensed auctioneer from this State or jurisdiction for the referring of a client or prospect for auction services to the licensed auctioneer.

(9) Making any substantial misrepresentation or untruthful advertising.

(10) Making any false promises of a character likely to influence, persuade, or induce.

(11) Pursuing a continued and flagrant course of misrepresentation or the making of false promises through a licensee, agent, employee, advertising, or otherwise.

(12) Any misleading or untruthful advertising, or using any trade name or insignia of membership in any auctioneer association or organization of which the licensee is not a member.

(13) Commingling funds of others with the licensee's own funds or failing to keep the funds of others in an escrow or trustee account.

(14) Failure to account for, remit, or return any moneys, property, or documents coming into the licensee's possession that belong to others, acquired through the practice of auctioneering, conducting an auction, or providing an auction service within 30 days of the written request from the owner of said moneys, property, or documents.

(15) Failure to maintain and deposit into a special account, separate and apart from any personal or other business accounts, all moneys belonging to others entrusted to a licensee while acting as an auctioneer, auction firm, or as a temporary custodian of the funds of others.

(16) Failure to make available to Department personnel during normal business hours all escrow and trustee records and related documents maintained in connection with the practice of auctioneering, conducting an auction, or providing an auction service within 24 hours after a request from Department personnel.

(17) Making or filing false records or reports in the licensee's practice, including, but not limited to, false records or reports filed with State agencies.

(18) Failing to voluntarily furnish copies of all written instruments or executed documents prepared by the auctioneer and signed by all parties to all parties at the time of execution.

(19) Failing to provide information within 30 days in response to a written request made by the Department.

(20) Engaging in any act that constitutes a violation of the Illinois Human Rights Act.

(21) (Blank).

(22) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(23) Offering or advertising real estate for sale or lease at auction without a valid broker or managing broker's license under the Real Estate License Act of 1983, or any successor Act, unless exempt from licensure under the terms of the Real Estate License Act of 2000, or any successor Act, except as provided in Section 5-32 of the Real Estate License Act of 2000.

(24) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, mental illness, or disability.

(25) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

(26) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or a neglected child as defined in the Abused and Neglected Child Reporting Act.

(27) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug, which may result in significant harm to the public.

(28) ~~(Blank). Willfully failing to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act.~~

(29) Violating the terms of any order issued by the Department.

(Source: P.A. 103-236, eff. 1-1-24; 104-417, eff. 8-15-25.)

(225 ILCS 407/20-15.1)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-15.1. Citations.

(a) The Department may adopt rules to permit the issuance of citations to any licensee for failure to comply with the continuing education requirements set forth in this Act or as established by rule. The citation shall be issued to the licensee and shall contain the licensee's name and address, the licensee's license number, the number of required hours of continuing education that have not been successfully completed ~~on or before by the licensee's licensee within the renewal deadline period,~~ and the penalty imposed, which shall not exceed \$2,000. The issuance of any such citation shall not excuse the licensee from completing all continuing education required for that term of licensure renewal period.

(b) Service of a citation shall be made in person, electronically, or by mail to the licensee at the licensee's address of record or email address of record, and must clearly state that if the cited licensee wishes to dispute the citation, they may make a written request, within 30 days after the citation is served, for a hearing before the Department. If the cited licensee does not request a hearing within 30 days after the citation is served, then ~~the citation shall become~~ a final, non-disciplinary order shall be entered, and any fine imposed is due and payable within ~~30~~ 60 days after the entry of that final order. If the cited licensee requests a hearing within 30 days after the citation is served, the Department shall afford the cited licensee a hearing conducted in the same manner as a hearing provided for in this Act for any violation of this Act and shall determine whether the cited licensee committed the violation as charged and whether the fine as levied is warranted. If the violation is found, any fine shall constitute non-public discipline and be due and payable within 30 days after the order of the Secretary, which shall constitute a final order of the Department. No change in license status may be made by the Department until a final order of the Department has been issued.

(c) Payment of a fine that has been assessed pursuant to this Section shall not constitute disciplinary action reportable on the Department's website or elsewhere unless a licensee has previously received 2 or more citations and been assessed 2 or more fines.

(d) Nothing in this Section shall prohibit or limit the Department from taking further action pursuant to this Act and rules for additional, repeated, or continuing violations.

(Source: P.A. 102-970, eff. 5-27-22.)

(225 ILCS 407/20-16)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-16. Illegal discrimination.

(a) When there has been an adjudication in a civil or criminal proceeding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following the provision of notice to the licensee and a hearing conducted in accordance with Section 20-43 and upon the recommendation of the Board as to the nature and extent of the suspension or revocation, shall, in accordance with Section 20-50, suspend or revoke the license of that licensee in a timely manner, unless the adjudication is in the appeal process. The finding or judgment of the civil or criminal proceeding is a matter of record and the merits of the finding or judgment shall not be challenged in a request for a hearing by the licensee.

(b) When there has been an order in an administrative proceeding finding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following the provision of notice to the licensee and a hearing conducted in accordance with Section 20-43 and upon recommendation of the Board as to the nature and extent of the discipline, shall, in accordance with Section 20-64, take one or more of the disciplinary actions provided for in this Act Section 20-15 in a timely manner, unless the administrative order is in the appeal process. The finding of the administrative order is a matter of record and the merits of the administrative order shall not be challenged in a request for a hearing by the licensee.

(Source: P.A. 102-970, eff. 5-27-22.)

(225 ILCS 407/20-20)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-20. Suspension ~~Termination~~ without hearing for failure to pay taxes, ~~or child support, or workers compensation obligations~~. The Department may suspend ~~terminate~~ or otherwise deny discipline any license issued under this Act without hearing if the following appropriate administering agency provides adequate information and proof that the licensee has:

(1) failed to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax act administered by the Illinois Department of Revenue until the requirements of the tax act are satisfied;

(2) failed to pay any court ordered child support as determined by a court order or by referral from the Department of Healthcare and Family Services (formerly Illinois Department of Public Aid);

~~or~~

(3) (blank); ~~or~~

(4) failed to pay or secure workers compensation obligations as determined by and based solely upon the certification of the Department of Insurance or the Illinois Workers' Compensation Commission.

If a license is ~~suspended~~ ~~terminated~~ or otherwise ~~denied~~ ~~disciplined~~ pursuant to this Section, the licensee may request a hearing conducted pursuant to the Civil Administrative Code of Illinois ~~as provided by this Act within 30 days of notice of termination or discipline.~~ The Department may issue a license or lift the suspension of a license if satisfactory repayment or obligation is determined by the respective State agency.

(Source: P.A. 100-872, eff. 8-14-18.)

(225 ILCS 407/20-30)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-30. Consent orders. Notwithstanding any provisions concerning the conduct of hearings and recommendations for disciplinary actions, the Department has the authority to negotiate agreements with licensees and applicants resulting in disciplinary consent orders. The consent orders may provide for any form of discipline provided for in this Act. The consent orders shall provide that they were not entered into as a result of any coercion by the Department. Any consent order shall be accepted by or rejected by the Secretary or designee in a timely manner.

(Source: P.A. 95-572, eff. 6-1-08.)

(225 ILCS 407/20-35)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-35. Subpoenas; attendance of witnesses; oaths.

(a) The Department shall have the power to issue subpoenas ad testificandum (subpoena for documents) and to bring before it any persons and to take testimony, either orally or by deposition or both, with the same fees and mileage and in the same manner as prescribed in civil cases in the courts of this State. The Department shall have the power to issue subpoenas duces tecum and to bring before it any documents, papers, files, books, and records with the same costs and in the same manner as prescribed in civil cases in the courts of this State.

(b) Any circuit court may, upon application of the Department or its designee or of the applicant, licensee, or person holding a certificate of licensure against whom proceedings under this Act are pending, enter an order compelling the enforcement of any Department subpoena issued in connection with any hearing or investigation.

(c) The Secretary or the Secretary's ~~his or her~~ designee or the Board shall have power to administer oaths to witnesses at any hearing that the Department is authorized to conduct and any other oaths authorized in any Act administered by the Department.

(Source: P.A. 95-572, eff. 6-1-08.)

(225 ILCS 407/20-40)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-40. Hearings; record of hearings.

(a) The Department shall have the authority to conduct hearings on proceedings to revoke, suspend, place on probation ~~or administrative review~~, reprimand, or refuse to issue or renew any license under this Act or to impose a civil penalty not to exceed \$10,000 upon any licensee under this Act.

(b) The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint, all other documents in the nature of pleadings, written motions filed in the proceedings, the transcripts of testimony, the report of the Board, and orders of the Department shall be in the record of the proceeding. The Department shall furnish a transcript of such record to any person interested in such hearing upon payment of the fee required under Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois ~~(20 ILCS 2105/2105-115).~~

(Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

(225 ILCS 407/20-43)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-43. Investigations; notice and hearing. The Department may investigate the actions or qualifications of any person who is an applicant, unlicensed person, or person rendering or offering to render auction services, or holding or claiming to hold a license as a licensed auctioneer. At least 30 days before any disciplinary hearing under this Act, the Department shall: (i) notify the person charged in writing of the charges made and the time and place of the hearing; (ii) direct the person to file ~~with the Board~~ a written answer under oath to the charges within 20 days of receiving service of the notice; and (iii) inform the person that, if the person fails to file an answer to the charges within 20 days of receiving service of the notice, default may be entered and the license may be suspended, revoked, placed on probationary status, or

have other disciplinary action taken with regard to the license as the Department may consider proper, including, but not limited to, limiting the scope, nature, or extent of the licensee's practice, or imposing a fine.

At the time and place of the hearing fixed in the notice, the Department Board shall proceed to hear the charges, and the person or person's counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments in the person's defense. The Department Board may continue the hearing when it deems it appropriate.

Notice of the hearing may be served by certified mail, or, at the discretion of the Department, by an electronic means to the person's most recent last known address or email address of record provided to the Department 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.

(Source: P.A. 103-236, eff. 1-1-24.)

(225 ILCS 407/20-55)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-55. Appointment of a hearing officer. The Secretary has the authority to appoint any attorney licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue, restore, or renew a license or to discipline a licensee. The hearing officer has full authority to conduct the hearing. Any Board member may attend hearings. The hearing officer shall report his or her findings of fact, conclusions of law, and recommendations to the Board. The Board shall have 90 days after the date of receipt of review the report of the hearing officer to and present its findings of fact, conclusions of law, and recommendations to the Secretary and to all parties to the proceedings.

If the Secretary disagrees with the recommendations of the Board or hearing officer, the Secretary may issue an order in contravention of the Board's recommendations.

If the Board fails to present its findings of fact, conclusions of law, and recommendations within the 90-day time period, the Department may request in writing a direct appeal to the Secretary and the Secretary may issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order. If the Board fails to present its findings of fact, conclusions of law, and recommendations within the 90-day time period after receiving an Order of Default, the Department may request in writing a direct appeal to the Secretary.

(Source: P.A. 95-572, eff. 6-1-08; 96-730, eff. 8-25-09.)

(225 ILCS 407/20-56)

(Section scheduled to be repealed on January 1, 2030)

Sec. 20-56. Board; rehearing. At the conclusion of the hearing, a copy of the Board's report shall be served upon the applicant, licensee, or unlicensed person by the Department, either personally or as provided in this Act for the service of a notice of hearing. Within 20 days after service, the person applicant or licensee may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or if a motion for rehearing is denied, then upon denial, the Secretary may enter an order in accordance with recommendations of the Board. If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee.

(Source: P.A. 101-345, eff. 8-9-19.)

(225 ILCS 407/25-110)

(Section scheduled to be repealed on January 1, 2030)

Sec. 25-110. Licensing of auction schools.

(a) Only an auction school licensed by the Department may provide the continuing education courses required for licensure under this Act.

(b) An auction school may also provide the course required to obtain the real estate auction certification in Section 5-32 of the Real Estate License Act of 2000. The course shall be approved by the Department upon the recommendation of the Real Estate Administration and Disciplinary Board pursuant to Section 25-10 of the Real Estate License Act of 2000.

(c) A person or entity seeking to be licensed as an auction school under this Act shall provide satisfactory evidence of the following:

- (1) a sound financial base for establishing, promoting, and delivering the necessary courses;
- (2) a sufficient number of qualified instructors;
- (3) adequate support personnel to assist with administrative matters and technical assistance;
- (4) a qualified school administrator, who is responsible for the administration of the school, courses, and the actions of the instructors;
- (5) proof of good standing with the Secretary of State and authority to conduct business in this State; and
- (6) any other requirements provided by rule.

(d) All applicants for an auction school ~~schools~~ license shall make initial application to the Department in a manner prescribed by the Department and pay the appropriate fee as provided by rule. In addition to any other information required to be contained in the application as prescribed by rule, every application for an original or renewed license shall include the applicant's Taxpayer Identification Number. The term, expiration date, and renewal of an auction school ~~schools~~ license shall be established by rule.

(e) An auction school shall provide each successful course participant with a certificate of completion signed by the school administrator. The format and content of the certificate shall be specified by rule.

(f) All auction schools shall provide to the Department a roster of all successful course participants as provided by rule.

(Source: P.A. 103-236, eff. 1-1-24; revised 6-24-25.)

(225 ILCS 407/30-7)

(Section scheduled to be repealed on January 1, 2030)

Sec. 30-7. Department; powers and duties.

(a) The Department shall exercise the powers and duties prescribed by the Civil Administrative Code of Illinois for the administration of licensing acts and shall exercise such other powers and duties as are prescribed by this Act. The Department may contract with third parties for services necessary for the proper administration of this Act.

(b) The Department shall have the authority to audit or inspect any electronic or physical record, account, document, book, form, or file required to be created or maintained by this Act. The Department may adopt rules and establish necessary requirements for the implementation of this subsection (b).

(Source: P.A. 96-730, eff. 8-25-09.)

(225 ILCS 407/20-85 rep.)

Section 15. The Auction License Act is amended by repealing Section 20-85.

Section 20. The Registered Interior Designers Act is amended by changing Sections 3, 4, 4.5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 18, 19, 27, and 30 as follows:

(225 ILCS 310/3) (from Ch. 111, par. 8203)

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

Sec. 3. Definitions. As used in this Act:

"Accredited institution" means an institution accredited by the Council for Interior Design Accreditation, an accreditation body recognized by the United States Department of Education, or a curriculum or transcript approved by the Board per a registration applicant's application.

"Address of record" means the designated address recorded by the Department in the applicant's application file or the registrant's registration file as maintained by the Department's licensure maintenance unit.

"Board" means the Board of Registered Interior Design Professionals established under Section 6 of this Act.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the registrant's registration file as maintained by the Department's licensure maintenance unit.

"Interior technical submissions" means the designs, drawings, and specifications that establish the scope of the interior design to be constructed, the standard of quality for materials, workmanship, equipment, and construction systems, and the studies and other technical reports and calculations prepared in the course of the practice of registered interior design.

"Practice of registered interior design" means the design of interior spaces as a part of an interior alteration or interior construction project in conformity with public health, safety, and welfare requirements,

including the preparation of documents relating to building code descriptions, project egress plans that require no increase capacity of exits in the space affected, space planning, finish materials, furnishings, fixtures, equipment, and the preparation of documents and interior technical submissions relating to interior construction. "Practice of registered interior design" does not include:

(1) The practice of structural engineering as defined in the Structural Engineering Practice Act of 1989, the practice of professional engineering as defined in the Professional Engineering Practice Act of 1989, or the practice of land surveying as defined in the Illinois Professional Land Surveyor Act of 1989.

(2) Services that constitute the practice of architecture as defined in the Illinois Architecture Practice Act of 1989, except as provided in this Act.

(3) Altering or affecting the structural system of a building, including changing the building's live or dead load on the structural system.

(4) Changes to the building envelope, including exterior walls, exterior wall coverings, exterior wall openings, exterior windows and doors, architectural trim, balconies and similar projections, bay and oriel windows, roof assemblies and rooftop structures, and glass and glazing for exterior use in both vertical and sloped applications in buildings and structures.

(5) Altering or affecting the mechanical, plumbing, heating, air conditioning, ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm systems.

(6) Changes beyond the exit access component of a means of egress system.

(7) Construction that materially affects life safety systems pertaining to fire safety or the fire protection of structural elements, or alterations to smoke evacuation and compartmentalization systems or to fire-rated vertical shafts in multistory structures.

(8) Changes of use to an occupancy of greater hazard as determined by the International Building Code.

(9) Changes to the construction classification of the building or structure according to the International Building Code.

"Public member" means a person who is not a registered interior designer, educator in the field, architect, structural engineer, or professional engineer. ~~For purposes of board membership, any, or a person who does not have any with a significant financial interest in the design or construction services service or the design or construction professions profession is not a public member.~~

"Registered interior designer" means a person who has received registration under Section 8 of this Act. A person represents oneself ~~himself or herself~~ to be a "registered interior designer" within the meaning of this Act by holding oneself if he or she holds himself or herself out to the public by any title incorporating the words "registered interior designer" or any title that includes the words "registered interior design".

"Responsible control" means the amount of control over detailed professional knowledge of the content of interior technical submissions during the preparation as is ordinarily exercised by registered interior designers applying the required professional standard of care. Merely reviewing or reviewing and correcting an interior technical submission or any portion thereof prepared by those not in the regular employment of the office where the registered interior designer is a resident without control over the content of such work throughout its preparation does not constitute responsible control.

"Secretary" means the Secretary of Financial and Professional Regulation.

(Source: P.A. 102-20, eff. 1-1-22; 102-1066, eff. 1-1-23; 103-154, eff. 6-30-23.)

(225 ILCS 310/4) (from Ch. 111, par. 8204)

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

Sec. 4. Title; application of Act.

(a) No individual shall, without a valid registration as a registered interior designer issued by the Department, in any manner hold oneself ~~himself or herself~~ out to the public as a registered interior designer or attach the title "registered interior designer" or any other name or designation which would in any way imply that the person ~~he or she~~ is able to use the title "registered interior designer" as defined in this Act.

(a-5) Nothing in this Act shall be construed as preventing or restricting the services offered or advertised by an interior designer who is registered under this Act.

(b) Nothing in this Act shall prevent the employment, by a registered interior designer association, partnership, or a corporation furnishing interior design services for remuneration, of persons not registered as interior designers to perform services in various capacities as needed, provided that the persons do not represent themselves as, or use the title of, "registered interior designer".

(c) Nothing in this Act shall be construed to limit the activities and use of the title "interior designer" on the part of a person not registered under this Act who is a graduate of an interior design program and a full-time employee of a duly chartered institution of higher education insofar as such person engages in public speaking, with or without remuneration, provided that such person does not represent oneself ~~himself or herself~~ to be a registered interior designer or use the title "registered interior designer".

(d) Nothing contained in this Act shall restrict any person not registered under this Act from carrying out any of the activities listed in the definition of "the profession of interior design" in Section 3 if such person does not represent oneself ~~himself or herself~~ or the person's ~~his or her~~ services in any manner prohibited by this Act.

(e) Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of any person licensed in this State under any other law from engaging in the profession or occupation for which that person ~~he or she~~ is licensed.

(f) Nothing in this Act shall be construed as preventing or restricting the practice, services, or activities of engineers licensed under the Professional Engineering Practice Act of 1989 or the Structural Engineering Practice Act of 1989; architects licensed pursuant to the Illinois Architectural Practice Act of 1989; any interior decorator or individual offering interior decorating services including, but not limited to, the selection of surface materials, window treatments, wall coverings, furniture, accessories, paint, floor coverings, and lighting fixtures; or builders, home furnishings salespersons, and similar purveyors of related goods and services ~~relating to homemaking~~.

(g) Nothing in this Act or any other Act shall prevent a licensed architect from practicing interior design services. Nothing in this Act shall be construed as requiring the services of a registered interior designer for the interior designing of a single family residence.

(h) Nothing in this Act shall authorize registered interior designers to perform services, including life safety services that they are prohibited from performing, or any practice: (i) that is restricted in the Professional Engineering Practice Act of 1989, the Professional Land Surveyor Act of 1989, of the Structural Engineering Practice Act of 1989; (ii) that is restricted in the Illinois Architecture Practice Act of 1989, except as provided in this Act; or (iii) that they are not authorized to perform under the Environmental Barriers Act, except as provided in this Act.

(i) Nothing in this Act shall authorize registered interior designers to advertise services that they are prohibited to perform, including architecture or engineering services, nor to use the title "architect" in any form.

(j) Nothing in this Act shall be construed as preventing or restricting persons from engaging in professional services limited to the design of kitchen and bath spaces or the specification of products for kitchen and bath areas in noncommercial settings.

(Source: P.A. 102-20, eff. 1-1-22; 102-1066, eff. 1-1-23.)

(225 ILCS 310/4.5)

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

Sec. 4.5. Unregistered practice; violation; civil penalty.

(a) Any person who holds oneself ~~himself or herself~~ out to be a registered interior designer without being registered under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$5,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a registrant.

(b) The Department has the authority and power to investigate any illegal use of the title of registered interior designer.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 310/6) (from Ch. 111, par. 8206)

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

Sec. 6. Board of Registered Interior Design Professionals. The Secretary shall appoint a Board of Registered Interior Design Professionals consisting of 5 members who shall serve in an advisory capacity to the Secretary. All members of the Board shall be residents of Illinois. Four members shall (i) hold a valid registration as an interior designer in Illinois and have held the registration under this Act for the preceding 10 years; and (ii) not have been disciplined within the preceding 10 years under this Act. In addition to the 4

registered interior designer members, there shall be one public member. The public member shall be a voting member and shall not be licensed or registered under this Act or any other design profession licensing Act that the Department administers.

Board members shall serve 5-year terms and until their successors are appointed and qualified. In appointing members to the Board, the Secretary shall give due consideration to recommendations by members and organizations of the interior design profession.

The membership of the Board should reasonably reflect representation from the geographic areas in this State.

No member shall be reappointed to the Board for a term that would cause his or her continuous service on the Board to be longer than 2 consecutive 5-year terms.

Appointments to fill vacancies shall be made in the same manner as original appointments for the unexpired portion of the vacated term.

Three members of the Board shall constitute a quorum. A quorum is required for Board decisions.

The Secretary may remove any member of the Board for cause at any time. ~~The Secretary shall be the sole arbiter of cause, misconduct, incompetence, or neglect of duty or for reasons prescribed by law for removal of State officials.~~

The Secretary may remove a member of the Board who does not attend 2 consecutive meetings.

~~Notice of proposed rulemaking may be transmitted to the Board and the Department may review the response of the Board and any recommendations made therein. The Department may, at any time, seek the expert advice and knowledge of the Board on any matter relating to the administration or enforcement of this Act.~~

Members of the Board are not liable for damages in any action or proceeding as a result of activities performed as members of the Board, except upon proof of actual malice.

Members of the Board shall be reimbursed for all legitimate, necessary, and authorized expenses.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 310/7) (from Ch. 111, par. 8207)

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

Sec. 7. Board recommendations. The Secretary ~~may shall~~ consider the recommendations of the Board in establishing guidelines for professional conduct, for the conduct of formal disciplinary proceedings brought under this Act, and for establishing guidelines for qualifications of applicants. Notice of proposed rulemaking may be transmitted to the Board and the Department shall review the response of the Board and any recommendations made in their response. The Department, at any time, may seek the expert advice and knowledge of the Board on any matter relating to the administration or enforcement of this Act.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 310/8) (from Ch. 111, par. 8208)

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

Sec. 8. Application requirements for registration.

(a) Each applicant for registration shall apply to the Department in writing on a form or electronically as provided by the Department. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by a nationally recognized evaluation service approved by the Department in accordance with the rules adopted by the Department. Except as otherwise provided in this Act, each applicant shall take and pass the examination approved by the Department. Prior to registration, the applicant shall provide substantial evidence to the Board that the applicant has completed the education and work experience requirements to sit for the NCIDQ examination administered by the Council for Interior Design Qualification, has successfully passed the NCIDQ examination ~~exam~~, has maintained an active NCIDQ certification, and:

(1) is a graduate of a 5-year interior design or architecture program from an accredited institution and has completed at least 2 years of full-time diversified interior design experience;

(2) is a graduate of a 4-year interior design or architecture program from an accredited institution and has completed at least 2 years of full-time diversified interior design experience;

(3) has completed at least 3 years of interior design or architecture curriculum from an accredited institution and has completed 3 years of full-time diversified interior design experience; or

(4) is a graduate of a 2-year interior design or architecture program from an accredited institution and has completed 4 years of full-time diversified interior design experience.

(b) (Blank). ~~In addition to providing evidence of meeting the requirements of subsection (a), each applicant for registration as a registered interior designer shall provide substantial evidence that the~~

~~applicant has successfully completed the examination administered by the Council for Interior Design Qualification.~~

(b-5) Each applicant for registration shall pay to the Department the required registration fee, which is not refundable, at the time of filing the application.

(b-10) Each applicant for renewal or reinstatement of registration under this Act shall have completed continuing education as set forth by the Department by rule. The Department shall consider the recommendations of the Board in establishing requirements for continuing education requirements but shall be no less than 10 hours of continuing education in the areas of health, safety, and welfare every 2 years.

~~(c) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall expire, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication. An individual may apply for original registration prior to passing the examination. The individual shall have 3 years after the date of filing an application to pass the examination. If evidence and documentation of passing the examination are received by the Department later than 3 years after the individual's filing, the application shall be denied and the fee forfeited. The applicant may reapply at any time, but shall meet the requirements in effect at the time of reapplication.~~

(d) Upon payment of the required fee, which shall be determined by rule, an applicant who is an architect licensed under the laws of this State may, without examination, be granted registration as a registered interior designer by the Department provided the applicant submits proof of an active architectural license in Illinois.

(Source: P.A. 102-1066, eff. 1-1-23; 103-1044, eff. 1-1-25.)

(225 ILCS 310/9) (from Ch. 111, par. 8209)

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

Sec. 9. Expiration; renewal; restoration.

(a) The expiration date and renewal period for each certificate of registration issued under this Act shall be set by rule. A registrant may renew such registration during the month preceding its expiration date by paying the required renewal fee.

(b) Inactive status.

(1) Any registrant who notifies the Department in writing on forms prescribed by the Department may elect to place ~~that person's his or her~~ certificate of registration on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until ~~that person he or she~~ notifies the Department in writing of ~~that person's his or her~~ desire to resume active status.

(2) Any registrant requesting restoration from inactive status shall be required to pay the current renewal fee and shall be required to restore ~~the his or her~~ registration.

(3) Any registrant whose registration is on inactive status shall not use the title "registered interior designer" in the State of Illinois.

(4) Any registrant who uses the title "registered interior designer" while ~~the registrant's his or her~~ certificate of registration is lapsed or inactive shall be considered to be using the title without a registration which shall be grounds for discipline under Section 13 of this Act.

~~(c) Any registrant whose registration has expired may have the registrant's his or her certificate of registration restored at any time within 5 years after its expiration, upon making application to the Department and payment of the required fee.~~

~~(d) Any registrant person whose registration has been expired for more than 5 years may have the registrant's his or her registration restored by making application to the Department and submitting filing proof acceptable to the Department of the registrant's his or her fitness to have the registrant's his or her registration restored, including, but not limited to, sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department and proof of completion of applicable continuing education, including sworn evidence certifying to active lawful practice in another jurisdiction, and by paying the required restoration fee. A person using the title "registered interior designer" on an expired registration is deemed to be in violation of this Act.~~

~~(e) If a person whose certificate of registration has expired has not maintained active status in another jurisdiction, the Department shall determine, by an evaluation process established by rule, that person's his or her fitness to resume active status, including by requiring and may require the person to complete a period of evaluated practical experience, and also requiring may require successful completion of an examination.~~

(f) Any person whose certificate of registration has expired while that person ~~he or she~~ has been engaged (1) in federal or State service active duty, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have that person's ~~his or her~~ registration restored without paying any lapsed renewal or restoration fee if, within 2 years after termination of such service, training or education, that person ~~he or she~~ furnishes the Department with satisfactory proof that the person ~~he or she~~ has been so engaged and that the person's ~~his or her~~ service, training, or education has been so terminated.

(g) An individual applying for restoration of a registration shall have 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall expire ~~be denied~~ and the fee forfeited. The applicant may reapply at any time.
(Source: P.A. 100-920, eff. 8-17-18.)

(225 ILCS 310/10) (from Ch. 111, par. 8210)

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

Sec. 10. Endorsement.

(a) Upon payment of the required fee and the filing of an application in writing on a form or electronically as provided by the Department, an applicant who is an interior designer currently registered, certified, or licensed under the laws of another state or territory of the United States or a foreign country or province shall, without further examination, be granted registration as an interior designer by the Department whenever the requirements of such state or territory of the United States or a foreign country or province were, at the date of registration, certification, or licensure, substantially equal to or greater than the requirements then in force in this State. The Department may adopt rules governing recognition of education and legal practice of the profession in another jurisdiction, requiring additional education, and determining when an examination may be required.

(b) If the accuracy of any submitted documentation or relevance or sufficiency of the coursework or experience is questioned by the Department or the Board because of a lack of information, discrepancies, or conflicts in information given, or a need for clarification, the applicant seeking registration may be required to provide additional information.

(c) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within the 3 years, then the application shall expire ~~be denied~~, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.
(Source: P.A. 103-1044, eff. 1-1-25.)

(225 ILCS 310/11) (from Ch. 111, par. 8211)

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

Sec. 11. Fees. The Department shall provide by rule for a schedule of fees for the administration and enforcement of this Act, including but not limited to original registration, renewal, and restoration. The fees shall be nonrefundable.

~~All fees collected under this Act shall be deposited into the General Professions Dedicated Fund and shall be appropriated to the Department for the ordinary and contingent expenses of the Department in the administration of this Act.~~

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 310/12) (from Ch. 111, par. 8212)

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

Sec. 12. Returned checks; penalties. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for prohibited use of a title without a registration or on a nonrenewed registration. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the registration or deny the application, without hearing. If, after termination or denial, the person seeks registration, the person ~~he or she~~ shall apply to the Department for restoration or issuance of the registration and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a certificate of registration to pay all expenses of processing this application. The Director may waive the fines due under this Section in individual cases where the Director finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 92-146, eff. 1-1-02.)

(225 ILCS 310/14) (from Ch. 111, par. 8214)

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

Sec. 14. Investigations; Notice of hearing. Upon the motion of either the Department or the Board, or upon the verified complaint in writing of any person setting forth facts which, if proven, would constitute grounds for refusal, suspension, or revocation of registration under this Act, the Board shall investigate the actions of any person, hereinafter called the "registrant", who holds or represents that the person ~~he~~ holds a certificate of registration. All such motions or complaints shall be brought to the Board.

The Director shall, before suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Director may deem proper with regard to any registration, at least 30 days prior to the date set for the hearing, notify the registrant in writing of any charges made and the time and place for a hearing on the charges before the Board. The Board shall also direct the registrant to file a his written answer to the charges with the Board under oath within 20 days after the service on the registrant ~~him~~ of such notice, and inform the registrant ~~him~~ that if the registrant ~~he~~ fails to file such answer, the registrant's ~~his~~ certificate of registration may be suspended, revoked, placed on probationary status or other disciplinary action may be taken with regard thereto, as the Director may deem proper.

The written notice and any notice in such proceeding may be served by delivery personally to the registrant, by email, or by ~~registered or certified~~ mail to the address specified by the registrant in the registrant's ~~his~~ last notification to the Director.

The Department, at its expense, shall preserve a record of all proceedings at the formal hearing of any case involving the refusal to issue or renew a registration, or discipline of a registrant. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board, and the orders of the Department shall be the record of such proceedings.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 310/15) (from Ch. 111, par. 8215)

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

Sec. 15. Disciplinary actions.

(a) In case the registrant, after receiving notice, fails to file an answer, the registrant's ~~his~~ registration may, in the discretion of the Director, having first received the recommendation of the Board, be suspended, revoked, placed on probationary status, or the Director may take whatever disciplinary action the Director ~~he~~ may deem proper, including the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

(b) The Director may temporarily suspend the registration of a registrant without a hearing, simultaneous to the institution of proceedings for a hearing under this Act, if the Director finds that evidence in the Director's ~~his~~ possession indicates that the person's continuation of use of the title would constitute an immediate danger to the public. In the event that the Director temporarily suspends the registration of a registrant without a hearing, a hearing by the Board must be held within 15 days after such suspension has occurred and concluded without appreciable delay.

(Source: P.A. 88-650, eff. 9-16-94.)

(225 ILCS 310/18) (from Ch. 111, par. 8218)

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

Sec. 18. Recommendations for disciplinary action; Action by Director. The Board may advise the Director that probation be granted or that other disciplinary action, including the limitation of the use of the title, be taken, as it deems proper. If disciplinary action other than suspension or revocation is taken, the Board may advise the Director to impose reasonable limitations and requirements upon the registrant to ensure ~~insure~~ compliance with the terms of the probation or other disciplinary action, including, but not limited to, regular reporting by the registrant to the Director of the registrant's ~~his~~ actions, or the registrant placing oneself ~~himself~~ under the care of a qualified physician for treatment, or limiting the registrant's ~~his~~ use of the title in such manner as the Director may require.

The Board shall present to the Director a written report of its findings and recommendations. A copy of the report shall be served upon the registrant, by email, either personally, or by ~~registered or certified~~ mail. Within 20 days after such service, the registrant may present to the Department the registrant's ~~his~~ motion in writing for a rehearing, specifying the particular grounds for rehearing. If the registrant orders and pays for a transcript of the record, the time elapsing until the transcript is ready for delivery to the registrant ~~him~~ shall not be counted as part of such 20 days.

At the expiration of the time allowed for filing a motion for rehearing, the Director may take the action recommended by the Board. Upon suspension, revocation, placement on probationary status, or the taking of any other disciplinary action, including the limiting of the use of the title, deemed proper by the Director with regard to the registration, the registrant shall surrender the his certificate of registration to the Department if ordered to do so by the Department. Upon the registrant's his failure or refusal to do so, the Department may seize the certificate of registration.

In all instances in which the Board has rendered a recommendation to the Director with respect to a particular person, the Director shall, to the extent that the Director he disagrees with or takes action contrary to the recommendation of the Board, file with the Board his specific written reasons of disagreement. Such reasons shall be filed within 30 days after the Director has taken the contrary position.

Each order of revocation, suspension, or other disciplinary action shall contain a brief and concise statement of the ground or grounds upon which the Department's action is based, as well as the specific terms and conditions of such action.

Whenever the Director is satisfied that substantial justice has not been done either in an examination or in the revocation, suspension, or refusal to issue a certificate of registration, or other disciplinary action, the Director may order a re-examination or rehearing.

(Source: P.A. 86-1404.)

(225 ILCS 310/19) (from Ch. 111, par. 8219)

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

Sec. 19. Hearing officer. The Director has the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer for any disciplinary action under this Act. The hearing officer shall have full authority to conduct the hearing. The hearing officer shall report the hearing officer's his findings and recommendations to the Board and the Director. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Director. If the Board fails to present its report within the 60-day 60-day period, the Director may issue an order based on the report of the hearing officer. If the Director disagrees in any regard with the Board's report, the Director he may issue an order in contravention of the Board's report.

(Source: P.A. 86-1404.)

(225 ILCS 310/27) (from Ch. 111, par. 8227)

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

Sec. 27. Filing registration or diploma of another. Any person filing, or attempting to file, as the person's his own the diploma or registration of another, or a forged affidavit of identification or qualification, is guilty of a Class 3 felony, and upon conviction is subject to such fine and imprisonment as is made and provided by the statutes of this State for the crime of forgery.

(Source: P.A. 86-1404.)

(225 ILCS 310/30) (from Ch. 111, par. 8230)

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

Sec. 30. Fund; appropriations; investments; audits. All of the fees collected pursuant to this Act shall be deposited into the Design Professionals Administration and Investigation ~~General Professions Dedicated~~ Fund.

The moneys deposited into in the Design Professionals Administration and Investigation ~~General Professions Dedicated~~ Fund may be used for the expenses of the Department in the administration of this Act.

~~Moneys from the Fund may also be used for direct and allocable indirect costs related to the public purposes of the Department of Professional Regulation. Moneys in the Fund may be transferred to the Professions Indirect Cost Fund as authorized by Section 2105 300 of the Department of Professional Regulation Law.~~

Upon the completion of any audit of the Department as prescribed by the Illinois State Auditing Act that includes an audit of the Design Professionals Administration and Investigation ~~General Professions Dedicated~~ Fund, the Department shall make the audit open to inspection by any interested person. The copy of the audit report required to be submitted to the Department by this Section is in addition to copies of audit reports required to be submitted to other State officers and agencies by Section 3-14 of the Illinois State Auditing Act.

(Source: P.A. 102-20, eff. 1-1-22.)

Section 25. The Landscape Architecture Registration Act is amended by changing Sections 10, 20, 23, 25, 30, 33, 34, 48, 50, 55, 60, 70, 80, 85, 95, and 110 as follows:

(225 ILCS 316/10)

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

Sec. 10. Definitions. For purposes of As used in this Act, the following definitions shall have the following meanings, except where the context requires otherwise:

"Address of record" means the designated address recorded by the Department in the applicant's application file or registrant's registration file as maintained by the Department.

"Board" means the Registered Landscape Architecture Registration Board.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address of record by the Department in the applicant's application file or registrant's registration file as maintained by the Department's licensure maintenance unit ~~Department~~.

"Landscape architecture" means the art and science of arranging land, together with the spaces and objects upon it, for the purpose of creating a safe, efficient, healthful, and aesthetically pleasing physical environment for human use and enjoyment, as performed by landscape architects.

"Landscape architectural practice" or "practice of landscape architecture" means the offering or furnishing of professional services in connection with a landscape architecture project that do not require the seal of an architect, land surveyor, professional engineer, or structural engineer. These services may include, but are not limited to, providing preliminary studies; developing design concepts; planning for the relationships of physical improvements and intended uses of the site, including the preparation and filing of sketches, drawings, plans, and specifications; establishing form and aesthetic elements; developing those technical details on the site that are exclusive of any building or structure; preparing and administering ~~coordinating~~ technical submissions; and conducting site observation of a landscape architecture project.

"Registered landscape architect" means a person who, based on education, experience, and examination in the field of landscape architecture, is registered under this Act.

"Secretary" means the Secretary of Financial and Professional Regulation. The Secretary may designate the Secretary's ~~his or her~~ duties under this Act to a designee of the Secretary's ~~his or her~~ choice, including, but not limited to, the Director of Professional Regulation.

(Source: P.A. 102-284, eff. 8-6-21; 103-309, eff. 1-1-24.)

(225 ILCS 316/20)

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

Sec. 20. Seal.

(a) Every registered landscape architect shall have a reproducible seal, which may be computer generated, the impression of which shall contain the name of the registered landscape architect, the registered landscape architect's registration number, and the words "Registered Landscape Architect, State of Illinois". The registered landscape architect shall be responsible for the registered landscape architect's ~~his or her~~ seal and signature as defined by rule.

(b) Notwithstanding the requirements of this Section, an architect, land surveyor, professional engineer, or structural engineer licensed by the Department shall be permitted to affix the architect's, land surveyor's, professional engineer's, or structural engineer's ~~his or her~~ seal to any plans, specifications, and reports prepared by or under his or her supervision in connection with the incidental practice of landscape architecture.

(c) For all plans, specifications, or other technical submissions prepared or issued by the registered landscape architect and filed for public record, the registered landscape architect shall affix the registered landscape architect's signature, current date, date of registration expiration, and a form of seal as prescribed by rule.

(d) The registered landscape architect's signature, date, and seal shall be evidence of the authenticity of that to which the signature, date, and seal are affixed. Any and all technical submissions may be transmitted electronically and may be signed by the registered landscape architect, dated, and sealed electronically with said seal.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/23)

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

Sec. 23. Technical submissions.

(a) As used in this ~~Act Section~~, "technical submissions" includes the designs, drawings, plans, and specifications, and reports that establish the scope of a landscape architecture project; the standard of quality for materials, workmanship, equipment, and systems; and the studies and other technical reports and calculations prepared in the course of the practice of landscape architecture.

(b) A registered landscape architect shall not exercise authority in preparing technical submissions that require the involvement of an architect, professional engineer, structural engineer, or professional land surveyor licensed in Illinois.

(c) The registered landscape architect who has contract responsibility shall seal a cover sheet of the technical submissions and those individual portions of the technical submissions for which the registered landscape architect is legally and professionally responsible.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/25)

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

Sec. 25. Display of registration. Every holder of a registered landscape architect registration shall display the holder's ~~his or her~~ certificate of registration in a conspicuous place in the holder's ~~his or her~~ principal office, place of business, or place of employment.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/30)

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

Sec. 30. Address of record; email address of record. All applicants and registrants shall:

(1) provide a valid address and email address to the Department, which shall serve as the address of record and email address of record, respectively, at the time of application for registration or renewal of registration; and

(2) inform the Department of any change of address of record or email address of record within 14 days after the ~~such~~ change, either through the Department's website or by contacting the Department's licensure maintenance unit ~~Department~~.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/33)

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

Sec. 33. Registered Landscape Architecture Registration Board.

(a) The Secretary shall appoint a Registered Landscape Architecture Registration Board. The Board shall consist of 5 persons who shall serve in an advisory capacity to the Secretary. All members of the Board shall be residents of Illinois. Four members shall be registered under this Act and have not been disciplined within the last 10-year period under this Act or the Illinois Landscape Architecture Act of 1989. In addition to the 4 registered landscape architects, there shall be one public member. The public member shall be a voting member and shall not be registered under this Act or licensed under any other design profession licensing Act that the Department administers.

(b) Board members shall serve 5-year terms and until their successors are appointed and qualified.

(c) In appointing members to the Board, the Secretary shall give due consideration to recommendations by members and organizations of the landscape architecture profession.

(d) The membership of the Board should reasonably reflect representation from the geographic areas in this State.

(e) No member shall be reappointed to the Board for a term that would cause the member's ~~his or her~~ continuous service on the Board to be longer than 2 consecutive 5-year terms.

(f) An appointment to fill a vacancy for the unexpired portion of the vacated term shall be made in the same manner as an initial appointment.

(g) Three members shall constitute a quorum. A quorum is required for Board decisions.

(h) The Secretary may terminate or refuse the appointment of any member of the Board for cause that, in the opinion of the Secretary, reasonably justified such termination, which may include, but is not limited to, a Board member who does not attend 2 consecutive meetings.

(i) Members of the Board may be reimbursed for all legitimate, necessary, and authorized expenses.

(j) ~~(Blank). The Department may at any time seek the expert advice and knowledge of the Board on any matter relating to the enforcement of this Act.~~

(k) Members of the Board shall be immune from suit in any action based upon any disciplinary proceedings or other acts performed in good faith as members of the Board, unless the conduct that gave rise to the suit was willful and wanton misconduct.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/34)

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

Sec. 34. Powers and duties of the Board.

(a) The Board shall ~~meet~~ hold at least ~~once per one meeting each~~ year or as otherwise called by the Secretary, with any such meeting conducted in accordance with the Open Meetings Act.

(b) The Board shall annually elect a chairperson and a vice chairperson who shall be registered landscape architects.

(c) The Department may, at any time, seek the expert advice and knowledge of the Board on any matter relating to the enforcement of this Act, including, but not limited to, qualifications of applicants for registration.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/48)

Sec. 48. Endorsement.

(a) The Department may issue a registration as a landscape architect to an applicant who submits a valid application accompanied by the required fee and is a landscape architect licensed, ~~or~~ registered, certified, or otherwise authorized under the laws of another state, the District of Columbia, a territory of the United States, or a foreign country if the requirements for licensure, registration, ~~or~~ certification, or authorization in that other jurisdiction were, on the date of original licensure, registration, or certification, substantially equivalent to the requirements then in force in this State.

(b) An application for endorsement shall provide proof of passage of an examination required for registration.

(c) If the accuracy of any submitted documentation or relevance or sufficiency of the coursework or experience is questioned by the Department or the Board because of a lack of information, discrepancies, or conflicts in information given or a need for clarification, the applicant seeking registration may be required to provide additional information.

(d) An applicant has 3 years from the date of application to complete the application process. If the process has not been completed in 3 years, the application shall be ~~expired~~ denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(e) (Blank). ~~This Section is repealed on January 1, 2027.~~

(Source: P.A. 103-1044, eff. 1-1-25.)

(225 ILCS 316/50)

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

Sec. 50. Registration, renewal, and restoration.

(a) The expiration date and renewal period for each certificate of registration issued under this Act shall be established by rule. A registrant may renew a certificate of registration during the month preceding its expiration date by paying the required fee.

(b) A registered landscape architect who has permitted the registered landscape architect's ~~his or her~~ registration to expire or has had the registered landscape architect's ~~his or her~~ registration placed on inactive status may have the registered landscape architect's ~~his or her~~ registration restored by making application to the Department and filing proof acceptable to the Department of the registered landscape architect's ~~his or her~~ fitness to have the registered landscape architect's ~~his or her~~ registration restored, including, but not limited to, sworn evidence certifying active lawful practice in another jurisdiction satisfactory to the Department and by paying the required fee as determined by rule.

(c) A registered landscape architect whose registration expired while engaged (1) in federal service on active duty with the Armed Forces of the United States or the State Militia called into service or training or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have a registration restored or reinstated without paying any lapsed reinstatement, renewal, or restoration fees if, within 2 years after termination, other than by dishonorable discharge, of such service, training, or education, ~~and~~ the Department is furnished with satisfactory evidence that the registrant has been so engaged in the practice of landscape architecture and that such service, training, or education has been so terminated.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/55)

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

Sec. 55. Prior registrations under the Illinois Landscape Architecture Act of 1989. A person who was actively registered under the Illinois Landscape Architecture Act of 1989 and had renewed ~~the person's his or her~~ registration before January 1, 2020, may have the person's his or her registration restored without fee upon the effective date of the rules adopted under this Act.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/60)

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

Sec. 60. Inactive status.

(a) A person registered under this Act who notifies the Department in writing on forms or electronically as prescribed by the Department may elect to place the person's his or her registration on inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until the person he or she notifies the Department in writing on forms or electronically as prescribed by the Department of the person's ~~his or her~~ desire to resume active status.

(b) Any registrant whose registration is on inactive status shall not use the title "registered landscape architect" or "landscape architect" in the State of Illinois.

(c) Any registrant who uses the title "registered landscape architect" or "landscape architect" while the registrant's his or her registration is inactive shall be considered to be using the title without a registration that shall be grounds for discipline under this Act.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/70)

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

Sec. 70. Disposition of funds. All ~~of the~~ fees collected as authorized under this Act shall be deposited into the Design Professionals Administration and Investigation General Professions Dedicated Fund. The moneys deposited into the Design Professionals Administration and Investigation General Professions Dedicated Fund may be used for the expenses of the Department in the administration of this Act. Moneys from the Fund may also be used for direct and allocable indirect costs related to the public purposes of the Department of Financial and Professional Regulation. Moneys in the Fund may be transferred to the Professions Indirect Cost Fund as authorized by Section 2105-300 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/80)

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

Sec. 80. Unauthorized practice; violation ~~Violation~~; injunction; cease and desist order; civil penalty.

(a) If any person violates the provisions of this Act, the Secretary may, in the name of the People of the State of Illinois, through the Attorney General of the State of Illinois or the State's Attorney of any county in which the action is brought, petition for an order enjoining such violation and for an order enforcing compliance with this Act. Upon the filing of a verified petition in court, the court may issue a temporary restraining order, without notice or bond, and may preliminarily and permanently enjoin such violation. If it is established that such person has violated or is violating the injunction, the Court may punish the offender for contempt of court. Proceedings under this Section shall be in addition to, and not in lieu of, all other remedies and penalties provided by this Act.

(b) Whoever holds oneself himself or herself out as a "registered landscape architect", "landscape architect", or any other name or designation that would in any way imply that the person he or she is able to use the title "registered landscape architect" or "landscape architect" without being registered under this Act shall be guilty of a Class A misdemeanor, and for each subsequent conviction shall be guilty of a Class 4 felony.

(c) Any person who holds oneself out as a "registered landscape architect", "landscape architect", or any other name or designation that would in any way imply that the person is able to use the title "registered landscape architect" or "landscape architect" shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense, as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(d) The Department may investigate any actual, alleged, or suspected unauthorized activity.

(e) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and executed thereon in the same manner as any judgment from any court of record.

(f) Each day that a violation occurs constitutes a separate offense. Any civil penalties imposed shall be payable to the Department.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/85)

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

Sec. 85. Grounds for discipline.

(a) The Department may refuse to issue or to renew a certificate of registration, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or nondisciplinary action the Department may deem proper, including fines not to exceed \$10,000 for each violation, with regard to any certificate of registration issued under this Act, for any one or combination of the following reasons:

(1) Material misstatement in furnishing information to the Department.

(2) Negligent or intentional disregard of this Act or rules adopted under this Act.

(3) Conviction of or plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or sentencing, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation under the laws of any jurisdiction of the United States that is (i) a felony, (ii) a misdemeanor, an essential element of which is dishonesty, or (iii) any crime that is directly related to the practice of landscape architecture.

(4) Making any misrepresentations for the purpose of obtaining a certificate of registration.

(5) Professional incompetence or gross negligence in the rendering of landscape architectural services.

(6) Aiding or assisting another person in violating any provision of this Act or any rules and regulations issued pursuant to this Act.

(7) Failing to provide information within 60 days in response to a written request made by the Department.

(8) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(9) Habitual or excessive use or abuse of drugs defined by law as controlled substances, alcohol, narcotics, stimulants, or any other substances that results in the inability to practice with reasonable judgment, skill, or safety.

(10) Discipline by another jurisdiction, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(11) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any professional service not actually rendered.

(12) A finding by the Department that the registrant, after having the registration placed on probationary status, has violated or failed to comply with the terms of probation.

(13) A finding by the Department that the registrant has failed to pay a fine imposed by the Department.

(14) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act, and upon proof by clear and convincing evidence that the registrant has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.

(15) Solicitation of professional services by using false or misleading advertising in any manner that is false, misleading, or deceptive.

(16) Inability to practice the profession with reasonable judgment, skill, or safety as a result of physical illness, including, but not limited to, deterioration through the aging process, loss of motor skill, mental illness, or disability.

(17) Using or attempting to use an expired, inactive, suspended, ~~or~~ revoked, canceled, nonrenewed, or otherwise inoperative registration, using ~~or~~ the seal of another registrant, or impersonating another registrant.

(18) Signing, affixing, or allowing the registered landscape architect's seal to be affixed to any plans not prepared by the registered landscape architect or under the registered landscape architect's supervision.

(19) Practicing, attempting to practice, or advertising under a name other than the full name as shown on the certificate of registration or any other legally authorized name.

(20) Performing any act or practice that is a violation of the Consumer Fraud and Deceptive Business Practices Act.

(21) Treating any person differently to the person's detriment because of the person's race, color, creed, gender, age, religion, or national origin.

(22) Violating any final administrative order of the Secretary.

(23) Gross and willful overcharging for professional services, including filing false statements for the collection of fees or moneys for which services are not rendered.

(b) The Department may refuse to issue or may suspend the registration of any person who fails to file a return, fails to pay the tax, penalty, or interest showing in a filed return, or fails to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until any such tax Act are satisfied.

(c) The determination or entry of a decree by any circuit court establishing that any person holding a certificate of registration under this Act is a person subject to involuntary admission under the Mental Health and Developmental Disabilities Code shall operate as a suspension of that registration. That person may resume using the title "registered landscape architect" or "landscape architect" only upon a finding by the Department that the person he or she has been determined to be no longer subject to involuntary admission by the court and meeting the requirements for restoration as required by this Act and its rules.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/95)

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

Sec. 95. Record of proceedings.

(a) The Department, at its expense, shall provide a certified shorthand reporter to take down the testimony and preserve a record of all proceedings in which a registrant may have their registration revoked or suspended or in which the registrant may be placed on probationary status, reprimanded, fined, or subjected to other disciplinary action with reference to the registration when a disciplinary action is authorized under this Act and rules issued pursuant to this Act. The notice of hearing, complaint, and all other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of the testimony, and the orders of the Department shall be the record of the proceedings. The record may be made available to any person interested in the hearing upon payment of the fee required by Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois.

(b) The Department may contract for court reporting services, and, if it does so, the Department shall provide the name and contact information for the certified shorthand reporter who transcribed the testimony at a hearing to any person interested, who may obtain a copy of the transcript of any proceedings at a hearing upon payment of the fee specified by the certified shorthand reporter.

(Source: P.A. 102-284, eff. 8-6-21.)

(225 ILCS 316/110)

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

Sec. 110. Hearing; motion for rehearing.

(a) The hearing officer appointed by the Secretary shall hear evidence in support of the formal charges and evidence produced by the registrant. At the conclusion of the hearing, the hearing officer shall present to the Secretary a written report of the hearing officer's his or her findings of fact, conclusions of law, and recommendations.

(b) At the conclusion of the hearing, a copy of the hearing officer's report shall be served upon the applicant or registrant, either personally or as provided in this Act for the service of the notice of hearing. Within 20 days after such service, the applicant or registrant may present to the Department a motion, in writing, for a rehearing which shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20 days after its service on the Department. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or upon denial of a motion for rehearing, the Secretary may enter an order in accordance with the recommendations of the hearing officer. If the applicant or registrant orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-day period within which a motion may be filed shall commence upon delivery of the transcript to the applicant or registrant.

(c) If the Secretary disagrees in any regard with the report of the hearing officer, the Secretary may issue an order contrary to the hearing officer's report.

(d) If the Secretary is not satisfied that substantial justice has been done, the Secretary may order a hearing by the same or another hearing officer.

(e) At any point in any investigation or disciplinary proceeding provided for in this Act, both parties may agree to a negotiated consent order. The consent order shall be final upon signature of the Secretary. (Source: P.A. 102-284, eff. 8-6-21.)

Section 30. The Community Association Manager Licensing and Disciplinary Act is amended by changing Sections 10, 20, 40, 55, 60, 75, 85, 85.1, 86, 95, and 120 as follows:

(225 ILCS 427/10)

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

Sec. 10. Definitions. As used in this Act:

"Address of record" means the designated street address, which may not be a post office box, recorded by the Department in the applicant's or licensee's application file or license file maintained by the Department.

"Advertise" means, but is not limited to, issuing or causing to be distributed any card, sign or device to any person; or causing, permitting or allowing any sign or marking on or in any building, structure, newspaper, magazine or directory, or on radio or television; or advertising by any other means designed to secure public attention, including, but not limited to, print, electronic, social media, and digital forums.

"Board" means the Community Association Manager Licensing and Disciplinary Board.

"Community association" means an association in which membership is a condition of ownership or shareholder interest of a unit in a condominium, cooperative, townhouse, villa, or other residential unit which is part of a residential development plan and that is authorized to impose an assessment, rents, or other costs that may become a lien on the unit or lot.

"Community association funds" means any assessments, fees, fines, or other funds collected by the community association manager from the community association, or its members, other than the compensation paid to the community association manager for performance of community association management services.

"Community association management firm" means a company, corporation, limited liability company, partnership, or other entity that engages in community association management services.

"Community association management services" means those services listed in the definition of community association manager in this Section.

"Community association manager" means an individual who:

(1) has an ownership interest in or is employed by a community association management firm, or is directly employed by or provides services as an independent contractor to a community association; and

(2) administers for remuneration the financial, administrative, maintenance, or other duties for the community association, including the following services:

(A) collecting, controlling or disbursing funds of the community association or having the authority to do so;

(B) preparing budgets or other financial documents for the community association;

(C) assisting in the conduct of community association meetings;

(D) maintaining association records;

(E) administering association contracts or procuring goods and services in accordance with the declaration, bylaws, proprietary lease, declaration of covenants, or other governing document of the community association or at the direction of the board of managers; and

(F) coordinating financial, administrative, maintenance, or other duties called for in the management contract, including individuals who are direct employees of the community association.

~~"Community association manager" does not mean support staff, including, but not limited to bookkeepers, administrative assistants, secretaries, property inspectors, or customer service representatives.~~

"Department" means the Department of Financial and Professional Regulation.

"Designated community association manager" means a licensed community association manager who: (1) has an ownership interest in or is employed by a community association management firm to act as a controlling person; and (2) is the authorized signatory or has delegated signing authority for the firm on community association accounts; and (3) supervises, manages, and is responsible for the firm's community association manager activities pursuant to Section 50 of this Act.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department.

"License" means the privilege conferred by the Department to a person that has fulfilled all requirements prerequisite to any type of licensure under this Act.

"Licensee" means any person licensed under this Act.

"Person" means any individual, corporation, partnership, limited liability company, or other legal entity.

"Secretary" means the Secretary of Financial and Professional Regulation or the Secretary's designee.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

(225 ILCS 427/20)

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

Sec. 20. Exemptions.

(a) The requirement for holding a license under this Act shall not apply to any of the following:

(1) Any director or officer of a community association providing one or more of the services of a community association manager to a community association without compensation for such services to the association.

(2) Any person providing one or more of the services of a community association manager to a community association of 10 units or less.

(3) A licensed attorney acting solely as an incident to the practice of law.

(4) An individual acting as a receiver, trustee in bankruptcy, administrator, executor, or guardian acting under a court order or under the authority of a court.

(5) A person licensed in this State under any other Act who engages in practices or activities specifically authorized by the Act pursuant to which the license was granted.

(6) An unlicensed owner who does not perform a licensed activity and the unlicensed owner's support staff, including, but not limited to bookkeepers, administrative assistants, secretaries, property inspectors, or customer service representatives.

(b) A licensed community association manager may not perform or engage in any activities for which a real estate managing broker, real estate broker, or residential leasing agent license is required under the Real Estate License Act of 2000, unless the licensee also possesses a current and valid license under the Real Estate License Act of 2000 and is providing those services as provided for in the Real Estate License Act of 2000 and the applicable rules.

(c) (Blank).

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 427/40)

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

Sec. 40. Qualifications for licensure as a community association manager.

(a) No person shall be qualified for licensure as a community association manager under this Act unless the person has applied in writing on the prescribed forms and has paid the required, nonrefundable fees and has met all of the following qualifications:

(1) Is at least 18 years of age.

(1.5) Successfully completed a 4-year course of study in a high school, secondary school, or an equivalent course of study approved by the state in which the school is located, or possess a State of Illinois High School Diploma, which shall be verified under oath by the applicant.

(2) Provided satisfactory evidence of having completed at least 20 classroom hours in community association management courses approved by the Board.

(3) Passed an examination authorized by the Department.

(4) Has not committed an act or acts, in this or any other jurisdiction, that would be a violation of this Act.

(5) Is of good moral character. In determining moral character under this Section, the Department may take into consideration whether the applicant has engaged in conduct or activities that would constitute grounds for discipline under this Act. Good moral character is a continuing requirement of licensure. Conviction of crimes may be used in determining moral character, but shall not constitute an absolute bar to licensure.

(6) ~~(Blank). Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless subsequently declared by a court to be competent.~~

(7) Complies with any additional qualifications for licensure as determined by rule of the Department.

(b) (Blank).

(c) (Blank).

(d) Applicants have 3 years from the date of application to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of re-application.

(e) The Department shall not require applicants to report the following information and shall not consider the following criminal history records in connection with an application for licensure:

(1) juvenile adjudications of delinquent minors as defined in Section 5-105 of the Juvenile Court Act of 1987 subject to the restrictions set forth in Section 5-130 of that Act;

(2) law enforcement records, court records, and conviction records of an individual who was 17 years old at the time of the offense and before January 1, 2014, unless the nature of the offense required the individual to be tried as an adult;

(3) records of arrest not followed by a charge or conviction;

(4) records of arrest in which the charges were dismissed unless related to the practice of the profession; however, applicants shall not be asked to report any arrests, and an arrest not followed by a conviction shall not be the basis of a denial and may be used only to assess an applicant's rehabilitation;

(5) convictions overturned by a higher court; or

(6) convictions or arrests that have been sealed or expunged.

(f) An applicant or licensee shall report to the Department, in a manner prescribed by the Department, and within 30 days after the occurrence if during the term of licensure: (i) any conviction of or plea of guilty or nolo contendere to forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any similar offense or offenses or any conviction of a felony involving moral turpitude; (ii) the entry of an administrative sanction by a ~~governmental~~ government agency in this State or any other jurisdiction that has as an essential element dishonesty or fraud or involves larceny, embezzlement, or obtaining money, property, or credit by false pretenses; or (iii) any conviction of or plea of guilty or nolo contendere to a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act.

(Source: P.A. 102-20, eff. 1-1-22; 102-1100, eff. 1-1-23.)

(225 ILCS 427/55)

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

Sec. 55. Insurance ~~Fidelity insurance~~; segregation of accounts; records.

(a) The ~~designated~~ community association manager or the community association management firm that employs the designated community association manager shall not have access to and disburse community association funds unless each of the following conditions occur:

(1) There is fidelity or crime insurance in place to insure against loss or theft of community association funds.

(2) The fidelity or crime insurance is in the maximum amount of coverage available to protect funds in the custody or control of the designated community association manager or community association management firm providing service to the association.

Nothing in this Section shall require that fidelity coverage be issued when a crime insurance policy with equivalent or broader coverage is already in place.

(3) During the term and coverage period of the insurance, the fidelity or crime insurance shall cover:

(A) the designated community association manager;

(B) the community association management firm;

(C) all community association managers;

(D) all partners, officers, and employees of the community association management firm;

and

(E) the community association officers, directors, and employees.

(4) The insurance company issuing the fidelity or crime insurance may not cancel or refuse to renew the ~~coverage bond~~ without giving at least 10 days' prior written notice.

(5) Unless an agreement between the community association and the designated community association manager or the community association management firm provides to the contrary, a community association may secure and pay for the fidelity or crime insurance required by this Section. The designated community association manager, all other licensees, and the community

association management firm must be named as additional insured parties on the community association policy. If the fidelity or crime insurance is not secured and paid for by the association, the designated community association manager or the community association management firm that secures and pays for the insurance shall provide a current certificate of fidelity or crime insurance to the community association for which it provides community association management services within 10 days of a request for such certificate by the community association for its records.

(b) A community association management firm that provides community association management services for more than one community association shall maintain separate, segregated accounts for each community association. The funds shall not, in any event, be commingled with the funds of the community association manager, the community association management firm, or any other community association. The maintenance of such accounts shall be custodial, and such accounts shall be in the name of the respective community association.

(c) The designated community association manager or community association management firm shall obtain the appropriate general liability and errors and omissions insurance, as determined by the Department, to cover any losses or claims against a community association manager, the designated community association manager, or the community association management firm. The designated community association manager or the community association management firm shall provide a current certificate of general liability and errors and omissions insurance to the community association for which it provides community association management services within 10 days of a request for such certificate by the community association for its records.

(c-5) The Department shall have the authority to audit or inspect any electronic or physical record, account, document, book, form, or file required to be created or maintained by this Act.

(d) The Department shall have authority to promulgate additional rules regarding insurance, fidelity or crime insurance, and all records and accounts required maintained and to be maintained by a community association manager, designated community association manager, or community association management firm.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

(225 ILCS 427/60)

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

Sec. 60. Licenses; renewals; restoration; person in military service.

(a) The expiration date, fees, and renewal period for each license issued under this Act shall be set by rule. The Department may promulgate rules requiring pre-license or continuing education and set all necessary requirements for such, including, but not limited to, fees, ~~approved coursework, number of hours, and waivers of continuing education.~~

(a-5) A community association manager whose license has lapsed or expired may renew the license without examination for a time period of up to 2 years following the expiration date of the license. The licensee shall complete an application to the Department, provide evidence of the licensee's successful completion of all hours of approved continuing education during the period of time the license had lapsed, and pay all fees as required by rule.

(b) A community association manager whose license has been lapsed or expired for more than 2 years but less than 5 years following the expiration date of the license may restore the license without examination by (i) applying to the Department, (ii) providing evidence of the community association manager's successful completion of all hours of approved continuing education during the lapsed periods prior to the date of the application, (iii) paying the required fees, and (iv) satisfying any other requirements as established by rule. A community association manager whose license has been expired for more than 5 years shall be required to meet the requirements of a new license. Any licensee who has an expired license may have the license restored by applying to the Department and filing proof acceptable to the Department of fitness to have the expired license restored, which may include sworn evidence certifying to active practice in another jurisdiction satisfactory to the Department, complying with any continuing education requirements, and paying the required restoration fee.

(c) Any person whose license expired while (i) in federal service on active duty with the Armed Forces of the United States or called into service or training with the State Militia, (ii) in training or education under the supervision of the United States preliminary to induction into the military service, or (iii) serving as an employee of the Department may have the license renewed or restored without paying any lapsed renewal fees and without completing the continuing education requirements for that licensure period if, within 2 years after honorable termination of the service, training, or education, except under condition

other than honorable, the licensee furnishes the Department with satisfactory evidence of engagement and that the service, training, or education has been so honorably terminated.

(d) A community association manager or community association management firm that notifies the Department, in a manner prescribed by the Department, may place the license on inactive status for a period not to exceed 2 years and shall be excused from the payment of renewal fees until the person notifies the Department in writing of the intention to resume active practice.

(e) A community association manager or community association management firm requesting that the license be changed from inactive to active status shall be required to pay the current renewal fee and shall also demonstrate compliance with the continuing education requirements.

(f) No licensee with a nonrenewed or inactive license status or community association management firm operating without a designated community association manager shall provide community association management services as set forth in this Act.

(g) Any person violating subsection (f) of this Section shall be considered to be practicing without a license and will be subject to the disciplinary provisions of this Act.

(h) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or fee from a disciplinary matter or from a non-disciplinary action imposed by the Department until the fine or fee is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(i) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or civil penalty imposed by the Department for unlicensed practice until the fine or civil penalty is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

(225 ILCS 427/75)

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

Sec. 75. Endorsement. The Department may issue a community association manager license ~~without the required examination, to an applicant licensed under the laws of another state or jurisdiction without the required examination, if the requirements for licensure in that state are, on the date of licensure, substantially equal to the requirements of this Act or to a person who, at the time of application for licensure, possessed individual qualifications that were substantially equivalent to the requirements then in force in this State. An applicant under this Section shall pay all of the required fees.~~

An applicant under this Section shall pay all the required fees and ~~All applicants under this Act~~ have 3 years from the date of application to complete the application process. If the process has not been completed within the 3 years, the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 427/85)

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

Sec. 85. Grounds for discipline; refusal, revocation, or suspension.

(a) The Department may refuse to issue or renew a license, or may place on probation, reprimand, suspend, or revoke any license, or take any other disciplinary or non-disciplinary action as the Department may deem proper and impose a fine not to exceed \$10,000 for each violation upon any licensee or applicant under this Act or any person or entity who holds oneself out as an applicant or licensee for any one or combination of the following causes:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act or its rules.

(3) Conviction of or entry of a plea of guilty or plea of nolo contendere, as set forth in subsection (f) of Section 40, to (i) a felony or a misdemeanor under the laws of the United States, any state, or any other jurisdiction or entry of an administrative sanction by a ~~governmental government~~ agency in this State or any other jurisdiction or (ii) a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act; or the entry of an administrative sanction by a ~~governmental government~~ agency in this State or any other jurisdiction.

(4) Making any misrepresentation for the purpose of obtaining a license or violating any provision of this Act or its rules.

(5) Professional incompetence.

(6) Gross negligence.

- (7) Aiding or assisting another person in violating any provision of this Act or its rules.
- (8) Failing, within 30 days, to provide information in response to a request made by the Department.
- (9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public as defined by the rules of the Department, or violating the rules of professional conduct adopted by the Department.
- (10) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to practice with reasonable judgment, skill, or safety, and which may result in significant harm to the public.
- (11) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, or a governmental agency authorized to impose discipline if at least one of the grounds for the discipline is the same or substantially equivalent of one of the grounds for which a licensee may be disciplined under this Act. A certified copy of the record of the action by the other state or jurisdiction shall be prima facie evidence thereof.
- (12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership, or association any fee, commission, rebate, or other form of compensation for any services not actually or personally rendered.
- (13) A finding by the Department that the licensee, after having the license placed on probationary status, has violated the terms of probation.
- (14) Willfully making or filing false records or reports relating to a licensee's practice, including, but not limited to, false records filed with any State or federal agencies or departments.
- (15) Being named as a perpetrator in an indicated report by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act and upon proof by clear and convincing evidence that the licensee has caused a child to be an abused child or neglected child as defined in the Abused and Neglected Child Reporting Act.
- (16) Physical illness or mental illness or impairment that results in the inability to practice the profession with reasonable judgment, skill, or safety.
- (17) Solicitation of professional services by using false or misleading advertising.
- (18) A finding that licensure has been applied for or obtained by fraudulent means.
- (19) Practicing or attempting to practice under a name other than the full name as shown on the license or any other legally authorized name unless approved by the Department.
- (20) Gross overcharging for professional services including, but not limited to, (i) collection of fees or moneys for services that are not rendered; and (ii) charging for services that are not in accordance with the contract between the licensee and the community association.
- (21) Improper commingling of personal and client funds in violation of this Act or any rules promulgated thereto.
- (22) Failing to account for or remit any moneys or documents coming into the licensee's possession that belong to another person or entity.
- (23) Giving differential treatment to a person that is to that person's detriment on the basis of race, color, sex, ancestry, age, order of protection status, marital status, physical or mental disability, military status, unfavorable discharge from military status, sexual orientation, pregnancy, religion, or national origin.
- (24) Performing and charging for services without reasonable authorization to do so from the person or entity for whom service is being provided.
- (25) Failing to make available to the Department, upon request, any books, records, or forms required by this Act.
- (26) Purporting to be a designated community association manager of a firm without active participation in the firm and having been designated as such.
- (27) Failing to make available to the Department at the time of the request any indicia of licensure issued under this Act.
- (28) Failing to maintain and deposit funds belonging to a community association in accordance with subsection (b) of Section 55 of this Act.
- (29) Violating the terms of any order issued by the Department.
- (30) Operating a community association management firm without a designated community association manager who holds an active community association manager license.

(31) For a designated community association manager, failing to meet the requirements for acting as a designated community association manager.

(32) Failing to disclose to a community association any compensation received by a licensee from a third party in connection with or related to a transaction entered into by the licensee on behalf of the community association.

(33) Failing to disclose to a community association, at the time of making the referral, that a licensee (A) has greater than a 1% ownership interest in a third party to which it refers the community association; or (B) receives or may receive dividends or other profit sharing distributions from a third party, other than a publicly held or traded company, to which it refers the community association.

(b) (Blank).

(c) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will terminate only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient, and upon the recommendation of the Board to the Secretary that the licensee be allowed to resume practice as a licensed community association manager.

(d) In accordance with subsection (g) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (~~20 ILCS 2105/2105-15~~), the Department may refuse to issue or renew or may suspend the license of any person who fails to file a return, to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Department of Revenue, until such time as the requirements of that tax Act are satisfied.

(e) In accordance with subdivision (a)(5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois (~~20 ILCS 2105/2105-15~~) and in cases where the Department of Healthcare and Family Services (formerly Department of Public Aid) has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services.

(f) (Blank).

(g) In accordance with subsection (g-5) of Section 2105-15 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois, the Department may refuse to issue or renew, suspend, or revoke, without a hearing, the license of any person or entity who fails to pay or secure workers' compensation obligations as determined by and based solely upon the certification of the Department of Insurance or the Illinois Workers' Compensation Commission.

(Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24.)

(225 ILCS 427/85.1)

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

Sec. 85.1. Citations.

(a) The Department may adopt rules to permit the issuance of citations to any licensee for failure to comply with the continuing education requirements set forth in this Act or as established by rule. The citation shall be issued to the licensee and a copy sent to the licensee's designated community association manager, if any, and shall contain the licensee's name, the licensee's address, the licensee's license number, the number of required hours of continuing education that have not been successfully completed on or before by the licensee's renewal deadline, ~~licensee within the renewal period~~, and the penalty imposed, which shall not exceed \$2,000. The issuance of any such citation shall not excuse the licensee from completing all continuing education required for that term of licensure renewal period.

(b) Service of a citation shall be made in person, electronically, or by mail to the licensee at the licensee's address of record or email address of record, and the citation must clearly state that if the cited licensee wishes to dispute the citation, the cited licensee may make a written request, within 30 days after the citation is served, for a hearing before the Department. If the cited licensee does not request a hearing within 30 days after the citation is served, ~~then the citation shall become~~ a final, non-disciplinary order shall be entered, and any fine imposed is due and payable within ~~30~~ 60 days after the entry of that final order. If the cited licensee requests a hearing within 30 days after the citation is served, the Department shall afford the cited licensee a hearing conducted in the same manner as a hearing provided for in this Act for any

violation of this Act and shall determine whether the cited licensee committed the violation as charged and whether the fine as levied is warranted. If the violation is found, any fine shall constitute non-public discipline and be due and payable within 30 days after the order of the Secretary, which shall constitute a final order of the Department. No change in license status may be made by the Department until a final order of the Department has been issued.

(c) Payment of a fine that has been assessed pursuant to this Section shall not constitute disciplinary action reportable on the Department's website or elsewhere unless a licensee has previously received 2 or more citations and been assessed 2 or more fines.

(d) Nothing in this Section shall prohibit or limit the Department from taking further action pursuant to this Act and rules for additional, repeated, or continuing violations.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 427/86)

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

Sec. 86. Illegal discrimination.

(a) When there has been an adjudication in a civil or criminal proceeding that a community association manager or community association management firm has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following the provision of notice to the licensee and a hearing conducted in accordance with Section 95 and upon the recommendation of the Board as to the extent of the suspension or revocation, shall suspend or revoke the license of that licensee in a timely manner, unless the adjudication is in the appeal process. The finding or judgment of the civil or criminal proceeding is a matter of record and the merits of the finding or judgment shall not be challenged in a request for a hearing by the licensee.

(b) When there has been an order in an administrative proceeding finding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following the provision of notice to the licensee and a hearing conducted in accordance with Section 95, and upon recommendation of the Board as to the nature and extent of the discipline, shall take one or more of the disciplinary actions provided for in Section 85 in a timely manner, unless the administrative order is in the appeal process. The finding of the administrative order is a matter of record and the merits of the finding shall not be challenged in a request for a hearing by the licensee.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 427/95)

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

Sec. 95. Investigation; notice and hearing. The Department may investigate the actions or qualifications of a person, which includes an entity, applying for, holding or claiming to hold, or holding oneself out as having a license or rendering or offering to render services for which a license is required by this Act. The Department shall, before ~~Before~~ suspending, revoking, placing on probationary status, or taking any other disciplinary action as the Department may deem proper with regard to any license, at least 30 days before the date set for the hearing; ~~the Department shall~~ (i) notify the person charged and the person's designated community association manager, if any, in writing of any charges made and the time and place for a hearing on the charges before the Board, (ii) direct the person to file a written answer to the charges with the Board under oath within 20 days after the service on the person of such notice, and (iii) inform the person that, if the person fails to file an answer, default will be taken against the person and the license of the person may be suspended, revoked, placed on probationary status, or have other disciplinary action taken with regard to the license, including limiting the scope, nature, or extent of the person's related practice, as the Department may deem proper.

The Department shall serve notice under this Section by regular or electronic mail to the person's most recent last address of record or email address of record as provided to the Department. ~~If the person fails to file an answer after receiving notice, the license may, in the discretion of the Department, be suspended, revoked, or placed on probationary status, or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.~~ The answer shall be served by regular mail or electronic mail to the Department. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present such statements, testimony, evidence, and argument as may be pertinent to the charges or to the defense thereto. The Department may continue such hearing from time to time. If the person fails to file an answer after receiving notice, the license may, in the discretion of the

Department, be suspended, revoked, or placed on probationary status or the Department may take whatever disciplinary action deemed proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for such action under this Act.

At the discretion of the Secretary after having first received the recommendation of the Board, the person's license may be suspended, revoked, or placed on probationary status or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine if the act or acts charged constitute sufficient grounds for that action under this Act. A copy of the Department's final disciplinary order shall be delivered to the person's designated community association manager or may be sent to the community association that directly employs the person.

(Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24.)

(225 ILCS 427/120)

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

Sec. 120. Appointment of a hearing officer. The Secretary has the authority to appoint any attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action for refusal to issue or renew a license, or to discipline a licensee. The hearing officer has full authority to conduct the hearing. The hearing officer shall report the findings and recommendations to the Board and the Secretary. ~~At its next meeting following receipt of the report, the Board shall review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Secretary.~~

The Board shall have 90 days from receipt of the hearing officer's report to review the report of the hearing officer and present the Board's findings of fact, conclusions of law, and recommendations to the Secretary. If the Board fails to present its findings of fact, conclusions of law, and recommendations within the 90-day time period, the Department may request in writing a direct appeal to the Secretary and the Secretary may issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order. If the Board fails to present its findings of fact, conclusions of law, and recommendations within a 90-day time period after receiving an Order of Default, the Department may request in writing a direct appeal to the Secretary to issue a final order.

~~If the Board fails to present its report within 30 calendar days following its next meeting after receiving the report, the respondent may request in writing a direct appeal to the Secretary, in which case the Secretary shall, within 7 calendar days after the request, issue an order directing the Board to issue its findings of fact, conclusions of law, and recommendations to the Secretary within 30 calendar days after such order.~~

~~If the Board fails to issue its findings of fact, conclusions of law, and recommendations within that time frame to the Secretary after the entry of such order, the Secretary shall, within 30 calendar days thereafter, issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order.~~

~~If (i) a direct appeal is requested, (ii) the Board fails to issue its findings of fact, conclusions of law, and recommendations within the 30 day mandate from the Secretary or the Secretary fails to order the Board to do so, and (iii) the Secretary fails to issue an order within 30 calendar days thereafter, then the hearing officer's report is deemed accepted and a final decision of the Secretary.~~

Notwithstanding any other provision of this Section, if the Secretary, upon review, determines that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license or other disciplinary action taken as the result of the entry of the hearing officer's report, the Secretary may order a rehearing by the same or other examiners. If the Secretary disagrees in any regard with the recommendation of the Board or the hearing officer, the Secretary may issue an order in contravention of either recommendation.

(Source: P.A. 102-20, eff. 1-1-22.)

Section 35. The Detection of Deception Examiners Act is amended by changing Sections 3, 8, 8.5, 11, 13, 14, 17, 19, 26.1, and 30 as follows:

(225 ILCS 430/3) (from Ch. 111, par. 2403)

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

Sec. 3. Every examiner shall use an instrument which records permanently and simultaneously the subject's cardiovascular, respiratory and galvanic skin response patterns as minimum standards and shall base the ~~his or her~~ evaluation upon changes in such patterns. Such an instrument may record additional physiological patterns pertinent to the detection of deception. The examiner may also consider changes in such additional patterns in making the ~~his or her~~ evaluations. An examiner shall, upon written request of a person examined, make known the results of such test to the person examined within 5 days of receipt of the written request.

(Source: P.A. 97-168, eff. 7-22-11.)

(225 ILCS 430/8) (from Ch. 111, par. 2409)

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

Sec. 8. Applications for original licenses shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by the required fee, which shall not be returnable. Any such application shall require such information as in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for a license.

If an applicant neglects, fails without an approved excuse or refuses to take the next available examination for a license under this Act, the fee paid by the applicant shall be forfeited and the application denied. If an applicant fails to pass an examination for a license under this Act within 3 years after filing an ~~his or her~~ application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee.

(Source: P.A. 97-168, eff. 7-22-11.)

(225 ILCS 430/8.5)

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

Sec. 8.5. Social Security Number or individual tax identification number on license application. In addition to any other information required to be contained in the application, every application for an original license under this Act shall include the applicant's Social Security Number or individual taxpayer identification number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

Every application for a renewal, reinstated, or restored license shall require the applicant's customer identification number.

(Source: P.A. 97-400, eff. 1-1-12.)

(225 ILCS 430/11) (from Ch. 111, par. 2412)

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

Sec. 11. Qualifications for licensure as an examiner. A person is qualified to receive a license as an examiner:

- A. Who establishes that ~~the person he or she~~ is a person of good moral character; and
- B. Who has passed an examination approved by the Department to determine the person's ~~his or her~~ competency to obtain a license to practice as an examiner; and
- C. Who has been had conferred ~~upon him or her~~ an academic degree, at the baccalaureate level, from an accredited college or university; and
- D. Who has satisfactorily completed 6 months of study in detection of deception, as prescribed by rule, which shall include, but not be limited to, course content, trainer qualifications, and specialized instructor qualifications.

In determining good moral character, the Department may take into consideration conviction of any crime under the laws of the United States or any state or territory thereof that is a felony or a misdemeanor or any crime that is directly related to the practice of the profession.

(Source: P.A. 97-168, eff. 7-22-11.)

(225 ILCS 430/13) (from Ch. 111, par. 2414)

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

Sec. 13. The expiration date and renewal period for each license issued under this Act shall be set by rule. An examiner whose license has expired may reinstate the ~~his or her~~ license at any time within 5 years after the expiration thereof, by making a renewal application therefore and by paying the required fee. However, any examiner whose license expired while ~~the examiner he or she~~ was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have the ~~his or her~~ license renewed, reinstated or restored without paying any lapsed renewal and restoration fees if within 2 years after honorable termination of such service, training, or

education except under conditions other than honorable, the examiner ~~he or she~~ furnishes the Department with satisfactory evidence to the effect that the examiner ~~he or she~~ has been so engaged and that the examiner ~~his or her~~ service, training, or education has been so terminated.

A license or duplicate license must be prominently displayed at the principal place of business of every examiner.

Notice in writing shall be given to the Department by such license holder of any change of principal business location whereupon, the Department shall issue a new license for the unexpired period upon payment of the required fee. A change of business location without notification to the Department and without the issuance by it of a new license shall automatically suspend the license theretofore issued.

(Source: P.A. 97-168, eff. 7-22-11.)

(225 ILCS 430/14) (from Ch. 111, par. 2415)

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

Sec. 14. (a) The Department may refuse to issue or renew or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed \$10,000 for each violation, with regard to any license for any one or a combination of the following:

(1) Material misstatement in furnishing information to the Department.

(2) Violations of this Act, or of the rules adopted under this Act.

(3) Conviction by plea of guilty or nolo contendere, finding of guilt, jury verdict, or entry of judgment or by sentencing of any crime, including, but not limited to, convictions, preceding sentences of supervision, conditional discharge, or first offender probation, under the laws of any jurisdiction of the United States: (i) that is a felony or (ii) that is a misdemeanor, an essential element of which is dishonesty, or that is directly related to the practice of the profession.

(4) Making any misrepresentation for the purpose of obtaining licensure or violating any provision of this Act or the rules adopted under this Act pertaining to advertising.

(5) Professional incompetence.

(6) Allowing one's license under this Act to be used by an unlicensed person in violation of this Act.

(7) Aiding or assisting another person in violating this Act or any rule adopted under this Act.

(8) Where the license holder has been adjudged mentally ill, mentally deficient or subject to involuntary admission as provided in the Mental Health and Developmental Disabilities Code.

(9) Failing, within 60 days, to provide information in response to a written request made by the Department.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug.

(12) Discipline by another state, District of Columbia, territory, or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.

(13) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(14) Willfully making or filing false records or reports in his or her practice, including, but not limited to, false records filed with State agencies or departments.

(15) Inability to practice the profession with reasonable judgment, skill, or safety as a result of a physical illness, including, but not limited to, deterioration through the aging process or loss of motor skill, or a mental illness or disability.

(16) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(17) Practicing under a false or, except as provided by law, an assumed name.

(18) Fraud or misrepresentation in applying for, or procuring, a license under this Act or in connection with applying for renewal of a license under this Act.

(19) Cheating on or attempting to subvert the licensing examination administered under this Act.

All fines imposed under this Section shall be paid within 60 days after the effective date of the order imposing the fine.

(b) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a return, or pay the tax, penalty, or interest shown in a filed return, or pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(c) (Blank).

(d) In cases where the Department of Healthcare and Family Services has previously determined a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of an order so finding and discharging the patient.

(f) In enforcing this Act, the Department, upon a showing of a possible violation, may compel an individual licensed to practice under this Act, or who has applied for licensure under this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The Department may order the examining physician to present testimony concerning the mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The examining physicians shall be specifically designated by the Department. The individual to be examined may have, at the individual's ~~his or her~~ own personal expense, another physician of the individual's ~~his or her~~ choice present during all aspects of this examination. The examination shall be performed by a physician licensed to practice medicine in all its branches. Failure of an individual to submit to a mental or physical examination, when directed, shall result in an automatic suspension without hearing.

A person holding a license under this Act or who has applied for a license under this Act who, because of a physical or mental illness or disability, including, but not limited to, deterioration through the aging process or loss of motor skill, is unable to practice the profession with reasonable judgment, skill, or safety, may be required by the Department to submit to care, counseling, or treatment by physicians approved or designated by the Department as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice. Submission to care, counseling, or treatment as required by the Department shall not be considered discipline of a license. If the licensee refuses to enter into a care, counseling, or treatment agreement or fails to abide by the terms of the agreement, the Department may file a complaint to revoke, suspend, or otherwise discipline the license of the individual. The Secretary may order the license suspended immediately, pending a hearing by the Department. Fines shall not be assessed in disciplinary actions involving physical or mental illness or impairment.

In instances in which the Secretary immediately suspends a person's license under this Section, a hearing on that person's license must be convened by the Department within 15 days after the suspension and completed without appreciable delay. The Department shall have the authority to review the subject individual's record of treatment and counseling regarding the impairment to the extent permitted by applicable federal statutes and regulations safeguarding the confidentiality of medical records.

An individual licensed under this Act and affected under this Section shall be afforded an opportunity to demonstrate to the Department that ~~he or she can resume~~ practice may resume in compliance with acceptable and prevailing standards under the provisions of the ~~his or her~~ license.

(Source: P.A. 100-872, eff. 8-14-18.)

(225 ILCS 430/17) (from Ch. 111, par. 2418)

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

Sec. 17. Investigations; notice and hearing. The Department may investigate the actions of any applicant or any person or persons rendering or offering to render detection of deception services or any person holding or claiming to hold a license as a licensed examiner. The Department shall, before refusing to issue or renew a license or to discipline a licensee under Section 14, at least 30 days prior to the date set for the hearing, (i) notify the accused in writing of the charges made and the time and place for the hearing

on the charges, (ii) direct the accused ~~him or her~~ to file a written answer with the Department under oath within 20 days after the service of the notice, and (iii) inform the accused ~~applicant or licensee~~ that failure to file an answer will result in default. ~~Being taken against the applicant or licensee.~~ At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the accused ~~person~~, after receiving the notice, fails to file an answer, ~~the~~ ~~his or her~~ license, may, in the discretion of the Department, be revoked, suspended, placed on probationary status, or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the accused's ~~person's~~ practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under the Act. The written notice may be served by email, by personal delivery, or by mail to the accused's address of record.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 430/19) (from Ch. 111, par. 2420)

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

Sec. 19. Subpoenas; depositions; oaths.

(a) The Department may subpoena and bring before it any person to take the oral or written testimony or compel the production of any books, papers, records, or any other documents that the Secretary or Secretary's ~~his or her~~ designee deems relevant or material to any investigation or hearing conducted by the Department with the same fees and in the same manner as prescribed in civil cases in the courts of this State.

(b) Any circuit court, upon the application of the licensee or the Department, may order the attendance and testimony of witnesses and the production of relevant documents, files, records, books, and papers in connection with any hearing or investigation. The circuit court may compel obedience to its order by proceedings for contempt.

(c) The Secretary, the hearing officer, any member of the Board, or a certified shorthand court reporter may administer oaths at any hearing the Department conducts. Notwithstanding any other statute or Department rule to the contrary, all requests for testimony, production of documents, or records shall be in accordance with this Act.

(Source: P.A. 97-168, eff. 7-22-11.)

(225 ILCS 430/26.1) (from Ch. 111, par. 2427.1)

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

Sec. 26.1. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unlicensed practice or practice on a nonrenewed license. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the license or certificate or deny the application, without hearing. If, after termination or denial, the person seeks a license or certificate, the person ~~he or she~~ shall apply to the Department for restoration or issuance of the license or certificate and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 97-168, eff. 7-22-11.)

(225 ILCS 430/30) (from Ch. 111, par. 2431)

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

Sec. 30. An applicant who is an Examiner, licensed under the laws of another state or territory of the United States, or an examiner who has been trained under the training standards determined by the federal government, may be issued a license by the Department, in its discretion, upon payment of a fee as set by rule, and the production of:

(a) satisfactory proof ~~that he or she is~~ of good moral character; and

(b) satisfactory proof that the requirements for the licensing of Examiners in such particular state or territory of the United States were, at the date of licensing, substantially equivalent to the requirements then in force in this State; or

(c) certification, if applicable, that the applicant has successfully completed the Defense Academy for Credibility Assessment course, or its predecessor or successor course.
(Source: P.A. 97-168, eff. 7-22-11.)

Section 40. The Home Inspector License Act is amended by changing Sections 1-10, 5-5, 5-12, 5-16, 5-20, 15-10, 15-10.1, 15-11, and 15-15 as follows:

(225 ILCS 441/1-10)

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

Sec. 1-10. Definitions. As used in this Act, unless the context otherwise requires:

"Address of record" means the designated street address, which may not be a post office box, recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department.

"Applicant" means a person who applies to the Department for a license under this Act.

"Client" means a person who engages or seeks to engage the services of a home inspector for an inspection assignment.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department.

"Home inspection" means the examination and evaluation of the exterior and interior components of residential real property, which includes the inspection of any 2 or more of the following components of residential real property in connection with or to facilitate the sale, lease, or other conveyance of, or the proposed sale, lease or other conveyance of, residential real property:

- (1) heating, ventilation, and air conditioning system;
- (2) plumbing system;
- (3) electrical system;
- (4) structural composition;
- (5) foundation;
- (6) roof;
- (7) masonry structure; or
- (8) any other residential real property component as established by rule.

"Home inspector" means a person or entity who, for another and for compensation either direct or indirect, performs home inspections.

"Home inspector entity" means any corporation, partnership, or limited liability company that provides home inspection services.

"Home inspection report" or "inspection report" means a written evaluation prepared and issued by a home inspector upon completion of a home inspection, which meets the standards of practice as established by the Department.

"Inspection assignment" means an engagement for which a home inspector is employed or retained to conduct a home inspection and prepare a home inspection report.

"License" means the privilege conferred by the Department to a person who has fulfilled all requirements prerequisite to any type of licensure under this Act.

"Licensee" means any person licensed under this Act.

"Person" means individuals, entities, corporations, limited liability companies, registered limited liability partnerships, and partnerships, foreign or domestic, except that when the context otherwise requires, the term may refer to a single individual or other described entity.

"Residential real property" means real property that is used or intended to be used as a residence by one or more individuals.

"Secretary" means the Secretary of Financial and Professional Regulation or the Secretary's designee.

"Standards of practice" means recognized standards to be used in a home inspection, as determined by the Department and established by rule.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22.)

(225 ILCS 441/5-5)

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

Sec. 5-5. Necessity of license; use of title; exemptions.

(a) It is unlawful for any person, including any entity, to act or assume to act as a home inspector, to engage in the business of home inspection, to develop a home inspection report, to practice as a home

inspector, or to advertise or hold oneself out to be a home inspector without a home inspector license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for the second and any subsequent offenses.

(b) It is unlawful for any person, other than a person who holds a valid home inspector license issued pursuant to this Act, to use the title "home inspector" or any other title, designation, or abbreviation likely to create the impression that the person is licensed as a home inspector pursuant to this Act. A person who violates this subsection is guilty of a Class A misdemeanor.

(c) The licensing requirements of this Article do not apply to:

(1) any person who is employed as a code enforcement official by the State of Illinois or any unit of local government, while acting within the scope of that government employment;

(2) any person licensed in this State by any other law who is engaging in the profession or occupation for which the person is licensed; or

(3) any person engaged by the owner or lessor of residential real property for the purpose of preparing a bid or estimate as to the work necessary or the costs associated with performing home construction, home remodeling, or home repair work on the residential real property, provided such person does not advertise or hold oneself out as engaged in business as a home inspector.

(d) The licensing of home inspector entities required under this Act does not apply to an entity whose ownership structure is one licensed home inspector operating either (1) a sole proprietorship, a single member limited liability company, or a single shareholder corporation, or (2) a limited liability company, corporation, or partnership co-owned solely with the home inspector's unlicensed spouse. ~~and that~~ The home inspector owner or operator shall be the only licensee licensed home inspector performing inspections on the entity's behalf and the licensed home inspector who is the sole proprietor, sole shareholder, or single member of the company or entity shall comply with all other provisions of this Act.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 441/5-12)

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

Sec. 5-12. Application for home inspector license; entity. Every entity that is not a natural person that desires to obtain a home inspector license shall apply to the Department in a manner prescribed by the Department and accompanied by the required fee.

Applicants have 3 years after the date of the application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

A corporation, limited liability company, partnership, or entity shall, as a condition of licensure, designate a managing licensed home inspector. The home inspector entity and the designated managing home inspector of that any home inspector entity shall be responsible for the actions of all licensed and unlicensed employees, agents, and representatives of that home inspector entity that provides while it is providing a home inspection or home inspection service. All other requirements for home inspector entities shall be established by rule.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 441/5-16)

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

Sec. 5-16. Renewal of license.

(a) The expiration date and renewal period for a home inspector license issued under this Act shall be set by rule. Except as otherwise provided in subsections (b) and (c) of this Section, the holder of a license may renew the license within 90 days preceding the expiration date by:

(1) completing and submitting to the Department a renewal application in a manner prescribed by the Department;

(2) paying the required fees; and

(3) providing evidence of successful completion of the continuing education requirements through courses approved by the Department given by education providers licensed by the Department, as established by rule.

(b) A home inspector whose license under this Act has expired may renew the license for a period of 2 years following the expiration date by complying with the requirements of subparagraphs (1), (2), and (3) of subsection (a) of this Section and paying any late fees ~~penalties~~ established by rule.

(b-5) A home inspector whose license has been lapsed or expired for more than 2 years but less than 5 years may restore the license without examination by (i) applying to the Department, (ii) providing evidence

of the successful completion of all hours of approved continuing education during the lapsed time periods prior to the date of the application, (iii) paying the required fees, and (iv) satisfying any other requirements as established by rule. A home inspector whose license has been expired for more than 5 years shall be required to meet the requirements of a new license.

(c) Notwithstanding subsection (b), a home inspector whose license under this Act has expired may renew or restore the license without paying any lapsed renewal fees or late penalties and without completing the continuing education requirements for that licensure period if the license expired while the home inspector was (i) in federal service on active duty with the Armed Forces of the United States or called into service or training with the State Militia, (ii) in training or education under the supervision of the United States preliminary to induction into the military service, or (iii) serving as an employee of the Department and within 2 years after the termination of the service, training, or education, the licensee furnishes the Department with satisfactory evidence of service, training, or education and was terminated under honorable conditions.

(d) The Department shall provide reasonable care and due diligence to ensure that each licensee under this Act is provided a renewal application at least 90 days prior to the expiration date, but it is the responsibility of each licensee to renew the license prior to its expiration date.

(e) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or fee from a disciplinary matter or from a non-disciplinary action imposed by the Department until the fine or fee is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(f) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or civil penalty imposed by the Department for unlicensed practice until the fine or civil penalty is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(g) A home inspector who notifies the Department, in a manner prescribed by the Department, may place the license on inactive status for a period not to exceed 2 years and shall be excused from the payment of renewal fees until the person notifies the Department in writing of the intention to resume active practice.

(h) A home inspector requesting that the license be changed from inactive to active status shall be required to pay the current renewal fee and shall also demonstrate compliance with the continuing education requirements.

(i) No licensee with a nonrenewed or inactive license status shall provide home inspection services as set forth in this Act.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

(225 ILCS 441/5-20)

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

Sec. 5-20. Endorsement. The Department may, in its discretion, license as a home inspector, by endorsement, on payment of the required fee, and without the required examination, an applicant who is a home inspector licensed under the laws of another state or territory, if ~~(i) the requirements for licensure in the state or territory in which the applicant was licensed were, at the date of licensure, substantially equivalent to the requirements in force in this State on that date. or (ii) there were no requirements in force in this State on the date of licensure and the applicant possessed individual qualifications on that date that are substantially similar to the requirements under this Act.~~ The Department may adopt any rules necessary to implement this Section.

Applicants have 3 years after the date of application to complete the application process. If the process has not been completed within 3 years, the application shall be denied, the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 441/15-10)

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

Sec. 15-10. Grounds for disciplinary action.

(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed \$25,000 for each violation upon any licensee or applicant under this Act or any person or entity who holds oneself out as an applicant or licensee, for any one or combination of the following:

(1) Fraud or misrepresentation in applying for, or procuring a license under this Act or in connection with applying for renewal of a license under this Act.

(2) Failing to meet the minimum qualifications for licensure as a home inspector established by this Act.

(3) Paying money, other than for the fees provided for by this Act, or anything of value to an employee of the Department to procure licensure under this Act.

(4) Conviction of, or plea of guilty or nolo contendere, or finding as enumerated in subsection (c) of Section 5-10, under the laws of any jurisdiction of the United States: (i) that is a felony, misdemeanor, or administrative sanction, or (ii) that is a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act.

(5) Committing an act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the licensee or another person or with the intent to substantially injure another person.

(6) Violating a provision or standard for the development or communication of home inspections as provided in Section 10-5 of this Act or as defined in the rules.

(7) Failing or refusing to exercise reasonable diligence in the development, reporting, or communication of a home inspection report, as defined by this Act or the rules.

(8) Violating a provision of this Act or the rules.

(9) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or substantially equivalent to one of the grounds for which a licensee may be disciplined under this Act.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Accepting an inspection assignment when the employment itself is contingent upon the home inspector reporting a predetermined analysis or opinion, or when the fee to be paid is contingent upon the analysis, opinion, or conclusion reached or upon the consequences resulting from the home inspection assignment.

(12) Developing home inspection opinions or conclusions based on the race, color, religion, sex, national origin, ancestry, age, marital status, family status, physical or mental disability, military status, unfavorable discharge from military status, sexual orientation, order of protection status, pregnancy, or any other protected class as defined under the Illinois Human Rights Act, of the prospective or present owners or occupants of the area or property under home inspection.

(13) Being adjudicated liable in a civil proceeding on grounds of fraud, misrepresentation, or deceit. In a disciplinary proceeding based upon a finding of civil liability, the home inspector shall be afforded an opportunity to present mitigating and extenuating circumstances, but may not collaterally attack the civil adjudication.

(14) Being adjudicated liable in a civil proceeding for violation of a State or federal fair housing law.

(15) Engaging in misleading or untruthful advertising or using a trade name or insignia of membership in a home inspection organization of which the licensee is not a member.

(16) Failing, within 30 days, to provide information in response to a written request made by the Department.

(17) Failing to include within the home inspection report the home inspector's license number and the date of expiration of the license. The names of (i) all persons who conducted the home inspection; and (ii) all persons who prepared the subsequent written evaluation or any part thereof must be disclosed in the report. It is a violation of this Act for a home inspector to sign a home inspection report knowing that the names of all such persons have not been disclosed in the home inspection report.

(18) Advising a client as to whether the client should or should not engage in a transaction regarding the residential real property that is the subject of the home inspection.

(19) Performing a home inspection in a manner that damages or alters the residential real property that is the subject of the home inspection without the consent of the owner.

(20) Performing a home inspection when the home inspector is providing or may also provide other services in connection with the residential real property or transaction, or has an interest in the

residential real property, without providing prior written notice of the potential or actual conflict and obtaining the prior consent of the client as provided by rule.

(21) Aiding or assisting another person in violating any provision of this Act or rules adopted under this Act.

(22) Inability to practice with reasonable judgment, skill, or safety as a result of habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug, which may result in significant harm to the public.

(23) A finding by the Department that the licensee, after having the license placed on probationary status, has violated the terms of probation.

(24) Willfully making or filing false records or reports related to the practice of home inspection, including, but not limited to, false records filed with State agencies or departments.

(25) Charging for professional services not rendered, including filing false statements for the collection of fees for which services are not rendered.

(26) Practicing under a false or, except as provided by law, an assumed name.

(27) Cheating on or attempting to subvert the licensing examination administered under this Act.

(28) Engaging in any of the following prohibited fraudulent, false, deceptive, or misleading advertising practices:

(i) advertising as a home inspector or operating a home inspection business entity unless there is a duly licensed home inspector responsible for all inspection activities and all inspections;

(ii) advertising that contains a misrepresentation of facts or false statements regarding the licensee's professional achievements, degrees, training, skills, or qualifications in the home inspection profession or any other profession requiring licensure;

(iii) advertising that makes only a partial disclosure of relevant facts related to pricing or home inspection services; and

(iv) advertising that claims this State or any of its political subdivisions endorse the home inspection report or its contents.

(29) Disclosing, except as otherwise required by law, inspection results or client information obtained without the client's written consent. A home inspector shall not deliver a home inspection report to any person other than the client of the home inspector without the client's written consent.

(30) Providing fees, gifts, waivers of liability, or other forms of compensation or gratuities to persons licensed under any real estate professional licensing Act ~~act~~ in this State as consideration or inducement for the referral of business.

(31) Violating the terms of any order issued by the Department.

(b) The Department may suspend, revoke, or refuse to issue or renew an education provider's license, may reprimand, place on probation, or otherwise discipline an education provider licensee, and may suspend or revoke the course approval of any course offered by an education provider, for any of the following:

(1) Procuring or attempting to procure licensure by knowingly making a false statement, submitting false information, making any form of fraud or misrepresentation, or refusing to provide complete information in response to a question in an application for licensure.

(2) Failing to comply with the covenants certified to on the application for licensure as an education provider.

(3) Committing an act or omission involving dishonesty, fraud, or misrepresentation or allowing any such act or omission by any employee or contractor under the control of the education provider.

(4) Engaging in misleading or untruthful advertising.

(5) Failing to retain competent instructors in accordance with rules adopted under this Act.

(6) Failing to meet the topic or time requirements for course approval as the provider of a pre-license curriculum course or a continuing education course.

(7) Failing to administer an approved course using the course materials, syllabus, and examinations submitted as the basis of the course approval.

(8) Failing to provide an appropriate classroom environment for presentation of courses, with consideration for student comfort, acoustics, lighting, seating, workspace, and visual aid material.

(9) Failing to maintain student records in compliance with the rules adopted under this Act.

(10) Failing to provide a certificate, transcript, or other student record to the Department or to a student as may be required by rule.

(11) Failing to fully cooperate with a Department investigation by knowingly making a false statement, submitting false or misleading information, or refusing to provide complete information in response to written interrogatories or a written request for documentation within 30 days of the request.

(c) (Blank).

(d) The Department may refuse to issue or may suspend without hearing, as provided for in the Code of Civil Procedure, the license of any person who fails to file a tax return, to pay the tax, penalty, or interest shown in a filed tax return, or to pay any final assessment of tax, penalty, or interest, as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of the tax Act are satisfied in accordance with subsection (g) of Section 2105-15 of the Civil Administrative Code of Illinois.

(e) (Blank).

(f) In cases where the Department of Healthcare and Family Services has previously determined that a licensee or a potential licensee is more than 30 days delinquent in the payment of child support and has subsequently certified the delinquency to the Department, the Department may refuse to issue or renew or may revoke or suspend that person's license or may take other disciplinary action against that person based solely upon the certification of delinquency made by the Department of Healthcare and Family Services in accordance with item (5) of subsection (a) of Section 2105-15 of the Civil Administrative Code of Illinois.

(g) The determination by a circuit court that a licensee is subject to involuntary admission or judicial admission, as provided in the Mental Health and Developmental Disabilities Code, operates as an automatic suspension. The suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission and the issuance of a court order so finding and discharging the patient.

(h) (Blank).

(j) In accordance with subsection (g-5) of Section 2105-15 of the Civil Administrative Code of Illinois, the Department may refuse to issue, refuse to renew, suspend, or revoke, without a hearing, the license of any person or entity who fails to pay, perform, or secure workers' compensation obligations as determined by and based solely upon the certification of the Department of Insurance or the Illinois Workers' Compensation Commission.

(Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24; revised 6-25-25.)

(225 ILCS 441/15-10.1)

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

Sec. 15-10.1. Citations.

(a) The Department may adopt rules to permit the issuance of citations to any licensee for failure to comply with the continuing education requirements set forth in this Act or as established by rule. The citation shall be issued to the licensee and shall contain the licensee's name, the licensee's address, the licensee's license number, the number of required hours of continuing education that have not been successfully completed by the ~~licensee's license within the renewal deadline period~~, and the penalty imposed, which shall not exceed \$2,000. The issuance of a citation shall not excuse the licensee from completing all continuing education required for that renewal period.

(b) Service of a citation shall be made in person, electronically, or by mail to the licensee at the licensee's address of record or email address of record, and the citation must clearly state that if the cited licensee wishes to dispute the citation, the cited licensee may make a written request, within 30 days after the citation is served, for a hearing before the Department. If the cited licensee does not request a hearing within 30 days after the citation is served, ~~then the citation shall become a final, non-disciplinary order~~ shall be entered, and any fine imposed is due and payable within 30 ~~60~~ days after the entry of that final order. If the cited licensee requests a hearing within 30 days after the citation is served, the Department shall afford the cited licensee a hearing conducted in the same manner as a hearing provided for in this Act for any violation of this Act and shall determine whether the cited licensee committed the violation as charged and whether the fine as levied is warranted. If the violation is found, any fine shall constitute non-public discipline and be due and payable within 30 days after the order of the Secretary, which shall constitute a final order of the Department. No change in license status may be made by the Department until a final order of the Department has been issued.

(c) Payment of a fine that has been assessed pursuant to this Section shall not constitute disciplinary action reportable on the Department's website or elsewhere unless a licensee has previously received 2 or more citations and been assessed 2 or more fines.

(d) Nothing in this Section shall prohibit or limit the Department from taking further action pursuant to this Act and rules for additional, repeated, or continuing violations.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 441/15-11)

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

Sec. 15-11. Illegal discrimination.

(a) When there has been an adjudication in a civil or criminal proceeding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following the provision of notice to the licensee and a hearing conducted in accordance with Section 15-15 and upon the determination by the Secretary as to the extent of the suspension or revocation, shall suspend or revoke the license of that licensee in a timely manner, unless the adjudication is in the appeal process. The finding or judgment of the civil or criminal proceeding is a matter of record and the merits of the finding or judgment shall not be challenged in a request for a hearing by the licensee.

(b) When there has been an order in an administrative proceeding finding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following the provision of notice to the licensee and a hearing conducted in accordance with Section 15-15 and upon the determination by the Secretary as to the nature and extent of the discipline, shall take one or more of the disciplinary actions provided for in Section 15-10 of this Act in a timely manner, unless the administrative order is in the appeal process. The finding of the administrative order is a matter of record and the merits of the finding shall not be challenged in a request for a hearing by the licensee.

(Source: P.A. 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

(225 ILCS 441/15-15)

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

Sec. 15-15. Investigation; notice; hearing. The Department may investigate the actions of any person who is an applicant, licensee, person or persons rendering or offering to render home inspection services, or any person holding or claiming to hold a license as a home inspector. The Department shall, before refusing to issue or renew a license or to discipline a person pursuant to Section 15-10, at least 30 days prior to the date set for the hearing, (i) notify the person charged in writing and the person's managing licensed home inspector, if any, of the charges made and the time and place for the hearing on the charges, (ii) direct the person to file a written answer with the Department under oath within 20 days after the service of the notice, and (iii) inform the person that failure to file an answer will result in a default entered against the person. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties of their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, the license, may, in the discretion of the Department, be revoked, suspended, placed on probationary status, or the Department may take whatever disciplinary actions considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under the Act. The notice may be served by mail, or, at the discretion of the Department, by electronic means to the address of record or email address of record specified by the person as last updated with the Department.

A copy of the hearing officer's report or any Order of Default, along with a copy of the original or amended complaint giving rise to the action, shall be served upon the person by the Department in the manner provided in this Act for the service of a notice of hearing. Within 20 days after service, the person may present to the Department a motion in writing for a rehearing, which shall specify the particular grounds for rehearing. If the person orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, then the 20-day period during which a motion may be filed shall commence upon the delivery of the transcript to the applicant or licensee. The Department may respond to the motion, or if a motion for rehearing is denied, then upon denial, the Secretary may enter an order in accordance with the recommendations of the hearing officer. If the Secretary disagrees in any regard with the report of the hearing officer, the Secretary may issue an order in contravention thereof. A copy of the Department's final disciplinary order shall be delivered to the person and the person's managing home inspector, if any.

(Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24.)

Section 45. The Real Estate Appraiser Licensing Act of 2002 is amended by changing Sections 1-10, 5-5, 5-25, 5-30, 15-10, 15-10.1, 15-11, 15-15, and 25-10 as follows:

[April 14, 2026]

(225 ILCS 458/1-10)

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

Sec. 1-10. Definitions. As used in this Act, unless the context otherwise requires:

"Accredited college or university, junior college, or community college" means a college or university, junior college, or community college that is approved or accredited by the Board of Higher Education, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

"Address of record" means the designated street address, which may not be a post office box, recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department.

"Applicant" means a person who applies to the Department for a license under this Act.

"Appraisal" means (noun) the act or process of developing an opinion of value; an opinion of value (adjective) of or pertaining to appraising and related functions, such as appraisal practice or appraisal services.

"Appraisal assignment" means a valuation service provided pursuant to an agreement between an appraiser and a client.

"Appraisal firm" means an appraisal entity that is 100% owned and controlled by a person or persons licensed in Illinois as a certified general real estate appraiser or a certified residential real estate appraiser. "Appraisal firm" does not include an appraisal management company.

"Appraisal management company" means any corporation, limited liability company, partnership, sole proprietorship, subsidiary, unit, or other business entity that directly or indirectly: (1) provides appraisal management services to creditors or secondary mortgage market participants, including affiliates; (2) provides appraisal management services in connection with valuing the consumer's principal dwelling as security for a consumer credit transaction (including consumer credit transactions incorporated into securitizations); and (3) any appraisal management company that, within a given 12-month period, oversees an appraiser panel of 16 or more State-certified appraisers in Illinois or 25 or more State-certified or State-licensed appraisers in 2 or more jurisdictions. "Appraisal management company" includes a hybrid entity.

"Appraisal practice" means valuation services performed by an individual acting as an appraiser, including, but not limited to, appraisal or appraisal review.

"Appraisal qualification board (AQB)" means the independent board of the Appraisal Foundation, which, under the provisions of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, establishes the minimum education, experience, and examination requirements for real property appraisers to obtain a state certification or license.

"Appraisal report" means any communication, written or oral, of an appraisal or appraisal review that is transmitted to a client upon completion of an assignment.

"Appraisal review" means the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal, appraisal review, or appraisal assignment.

"Appraisal Subcommittee" means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council as established by Title XI.

"Appraiser" means a person who performs real estate or real property appraisals competently and in a manner that is independent, impartial, and objective.

"Appraiser panel" means a network, list, or roster of licensed or certified appraisers approved by the appraisal management company or by the ~~end-user~~ client to perform appraisals as independent contractors for the appraisal management company. "Appraiser panel" includes both appraisers accepted by an appraisal management company for consideration for future appraisal assignments and appraisers engaged by an appraisal management company to perform one or more appraisals. For the purposes of determining the size of an appraiser panel, only independent contractors of hybrid entities shall be counted towards the appraiser panel.

"Associate real estate trainee appraiser" means an entry-level appraiser who holds a license of this classification under this Act with restrictions as to the scope of practice in accordance with this Act.

"Automated valuation model" means an automated system that is used to derive a property value through the use of available property records and various analytic methodologies such as comparable sales prices, home characteristics, and price changes.

"Board" means the Real Estate Appraisal Administration and Disciplinary Board.

"Broker price opinion" means an estimate or analysis of the probable selling price of a particular interest in real estate, which may provide a varying level of detail about the property's condition, market, and neighborhood and information on comparable sales. The activities of a real estate broker or managing broker engaging in the ordinary course of business as a broker, as defined in this Section, shall not be considered a broker price opinion if no compensation is paid to the broker or managing broker, other than compensation based upon the sale or rental of real estate.

"Classroom hour" means 50 minutes of instruction out of each 60-minute segment of coursework.

"Client" means the party or parties who engage an appraiser by employment or contract in a specific appraisal assignment.

"Comparative market analysis" is an analysis or opinion regarding pricing, marketing, or financial aspects relating to a specified interest or interests in real estate that may be based upon an analysis of comparative market data, the expertise of the real estate broker or managing broker, and such other factors as the broker or managing broker may deem appropriate in developing or preparing such analysis or opinion. The activities of a real estate broker or managing broker engaging in the ordinary course of business as a broker, as defined in this Section, shall not be considered a comparative market analysis if no compensation is paid to the broker or managing broker, other than compensation based upon the sale or rental of real estate.

"Coordinator" means the Real Estate Appraisal Coordinator created in Section 25-15.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file maintained by the Department.

"Evaluation" means a valuation permitted by the appraisal regulations of the Federal Financial Institutions Examination Council and its federal agencies for transactions that qualify for the appraisal threshold exemption, business loan exemption, or subsequent transaction exemption.

"Federal financial institutions regulatory agencies" means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Consumer Financial Protection Bureau, and the National Credit Union Administration.

"Federally related transaction" means any real estate-related financial transaction in which a federal financial institutions regulatory agency engages in, contracts for, or regulates and requires the services of an appraiser.

"Financial institution" means any bank, savings bank, savings and loan association, credit union, mortgage broker, mortgage banker, licensee under the Consumer Installment Loan Act or the Sales Finance Agency Act, or a corporate fiduciary, subsidiary, affiliate, parent company, or holding company of any such licensee, or any institution involved in real estate financing that is regulated by state or federal law.

"Hybrid entity" means an appraisal management company that hires an appraiser as an employee to perform an appraisal and engages an independent contractor to perform an appraisal.

"License" means the privilege conferred by the Department to a person that has fulfilled all requirements prerequisite to any type of licensure under this Act.

"Licensee" means any person licensed under this Act.

"Multi-state licensing system" means a web-based platform that allows an applicant to submit the application or license renewal application to the Department online.

"Person" means an individual, entity, sole proprietorship, corporation, limited liability company, partnership, and joint venture, foreign or domestic, except that when the context otherwise requires, the term may refer to more than one individual or other described entity.

"Real estate" means an identified parcel or tract of land, including any improvements.

"Real estate related financial transaction" means any transaction involving:

- (1) the sale, lease, purchase, investment in, or exchange of real property, including interests in property or the financing thereof;
- (2) the refinancing of real property or interests in real property; and
- (3) the use of real property or interest in property as security for a loan or investment, including mortgage backed securities.

"Real property" means the interests, benefits, and rights inherent in the ownership of real estate.

"Secretary" means the Secretary of Financial and Professional Regulation or the Secretary's designee.

"State certified general real estate appraiser" means an appraiser who holds a license of this classification under this Act and such classification applies to the appraisal of all types of real property without restrictions as to the scope of practice.

"State certified residential real estate appraiser" means an appraiser who holds a license of this classification under this Act and such classification applies to the appraisal of one to 4 units of residential real property without regard to transaction value or complexity, but with restrictions as to the scope of practice in a federally related transaction in accordance with Title XI, the provisions of USPAP, criteria established by the AQB, and further defined by rule.

"Supervising appraiser" means either (i) an appraiser who holds a valid license under this Act as either a State certified general real estate appraiser or a State certified residential real estate appraiser, who co-signs an appraisal report for an associate real estate trainee appraiser or (ii) a State certified general real estate appraiser who holds a valid license under this Act who co-signs an appraisal report for a State certified residential real estate appraiser on properties other than one to 4 units of residential real property without regard to transaction value or complexity.

"Title XI" means Title XI of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

"USPAP" means the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board pursuant to Title XI and by rule.

"Valuation services" means services pertaining to aspects of property value.

"Waiver valuation" means a valuation prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs regulations under 49 CFR Part 24 that is not an appraisal or represented as an appraisal.

(Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21; 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

(225 ILCS 458/5-5)

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

Sec. 5-5. Necessity of license; use of title; exemptions.

(a) It is unlawful for a person to (i) act, offer services, or advertise services as a State certified general real estate appraiser, State certified residential real estate appraiser, or associate real estate trainee appraiser, (ii) develop a real estate appraisal, (iii) practice as a real estate appraiser, or (iv) advertise as a real estate appraiser without a license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(a-5) It is unlawful for a person, unless registered as an appraisal management company, to solicit clients or enter into an appraisal engagement with clients without either a certified residential real estate appraiser license or a certified general real estate appraiser license issued under this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(b) It is unlawful for a person, other than a person who holds a valid license issued pursuant to this Act as a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser to use these titles or any other title, designation, or abbreviation likely to create the impression that the person is licensed as a real estate appraiser pursuant to this Act. A person who violates this subsection is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(c) This Act does not apply to a person who holds a valid license as a real estate broker or managing broker pursuant to the Real Estate License Act of 2000 who prepares or provides a broker price opinion or comparative market analysis in compliance with Section 10-45 of the Real Estate License Act of 2000.

(d) Nothing in this Act shall preclude a State certified general real estate appraiser, a State certified residential real estate appraiser, or an associate real estate trainee appraiser from rendering appraisals for or on behalf of a partnership, association, corporation, firm, or group. However, no State appraisal license or certification shall be issued under this Act to a partnership, association, corporation, firm, or group.

(e) This Act does not apply to a county assessor, township assessor, multi-township assessor, county supervisor of assessments, or any deputy or employee of any county assessor, township assessor, multi-township assessor, or county supervisor of assessments in performance of respective duties in accordance with the provisions of the Property Tax Code.

~~(e-5) For the purposes of this Act, waiver valuations valuation waivers may be prepared by a licensed appraiser notwithstanding any other provision of this Act, and the following types of valuations are not appraisals and may not be represented to be appraisals, and a license or certification is not required under this Act to perform such valuations if the valuations are created in one of the following manners: performed by (1) an employee of the Illinois Department of Transportation who has completed a minimum of 45 hours~~

of course work in real estate appraisal, including the principles of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, and appraisal review for federal aid highway programs and has at least 2 years' experience in a field closely related to real estate; (2) a county engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989; (3) an employee of a municipality who has (i) completed a minimum of 45 hours of coursework in real estate appraisal, including the principles of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, and appraisal review for federal aid highway programs and (ii) has either 2 years' experience in a field clearly related to real estate or has completed 20 hours of additional coursework that is sufficient for a person to complete waiver valuations as approved by the Federal Highway Administration; or (4) a municipal engineer who has completed coursework that is sufficient for waiver valuations to be approved by the Federal Highway Administration and who is a registered professional engineer under the Professional Engineering Act of 1989, under the following circumstances:

(A) a waiver valuation ~~waiver~~ in an amount not to exceed \$35,000 that \$20,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs regulations and which is performed by :

(1) an employee of the Illinois Department of Transportation who is a registered professional engineer under the Professional Engineering Practice Act of 1989 or an employee of the Illinois Department of Transportation that is ~~and~~ co-signed, with a license number affixed, by another employee of the Illinois Department of Transportation who is a registered professional engineer under the Professional Engineering Practice Act of 1989, with a license number affixed;

(2) an employee of the Illinois Department of Transportation or an employee of a consultant or subconsultant under contract to provide land acquisition services to the Illinois Department of Transportation who has at least 2 years of experience in a field closely related to real estate and who has completed a minimum of 45 hours of course work in real estate appraisal, including the principles of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, or appraisal review for federal aid highway programs;

(3) a county or municipal engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989, with engineer's signature and license number affixed;

(4) a municipal engineer who has completed coursework that is sufficient for waiver valuations to be approved by the Federal Highway Administration and who is a registered professional engineer under the Professional Engineering Act of 1989;

~~(5) or (2)~~ an employee of a county or municipality who is ~~and~~ co-signed with a license number affixed by the applicable a county or municipal engineer who is a registered professional engineer under the Professional Engineering Practice Act of 1989, with a license number affixed;

(6) an employee of a municipality who has

(A) completed a minimum of 45 hours of coursework in real estate appraisal, including the principles of real estate appraisals, appraisal of partial acquisitions, easement valuation, reviewing appraisals in eminent domain, appraisal for federal aid highway programs, and appraisal review for federal aid highway programs; and

(B) has either 2 years of experience in a field clearly related to real estate or has completed 20 hours of additional coursework that is sufficient for the employee to complete waiver valuations as approved by the Federal Highway Administration; or

(7) a nonresident appraiser licensed in another jurisdiction who does not represent themselves to be an Illinois-licensed appraiser; or ~~and~~

(B) a waiver valuation ~~waiver~~ in an amount not to exceed \$50,000 that (i) is performed by a licensed certified general real estate appraiser, a licensed certified residential real estate appraiser, or an associate real estate trainee appraiser employed by the Illinois Department of Transportation, (ii) includes the signature and licensee numbers of the appraiser or the trainee and their supervising appraiser, and (iii) is co-signed by an employee of the Illinois Department of Transportation who is a registered professional engineer under the Professional Engineering Practice Act of 1989, with a

~~license number affixed \$20,000 prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, or prepared pursuant to the federal Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs regulations and which is performed by a county or municipal engineer who is employed by a county or municipality and is a registered professional engineer under the Professional Engineering Practice Act of 1989. The valuation shall include the county or municipal engineer's signature and license number.~~

Nothing in this subsection (e-5) shall be construed to allow the State of Illinois, a political subdivision thereof, or any public body to acquire real estate by eminent domain in any manner other than provided for in the Eminent Domain Act.

(f) A State real estate appraisal certification or license is not required under this Act for any person, partnership, association, or corporation that performs appraisals of property owned by that person, partnership, association, or corporation for the sole use of that person, partnership, association, or corporation.

Any person who is certified or licensed under this Act and who performs any of the activities set forth in this subsection (f) must comply with the provisions of this Act. A person who violates this subsection (f) is guilty of a Class A misdemeanor for a first offense and a Class 4 felony for any subsequent offense.

(g) This Act does not apply to an employee, officer, director, or member of a credit or loan committee of a financial institution or any other person engaged by a financial institution when performing an evaluation of real property for the sole use of the financial institution in a transaction for which the financial institution would not be required to use the services of a State licensed or State certified appraiser pursuant to federal regulations adopted under Title XI of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(h) This Act does not apply to the procurement of an automated valuation model.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 458/5-25)

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

Sec. 5-25. Renewal of license.

(a) The expiration date and renewal period for a State certified general real estate appraiser license or a State certified residential real estate appraiser license issued under this Act shall be set by rule. Except as otherwise provided in subsections (b) and (f) of this Section, the holder of a license may renew the license within 90 days preceding the expiration date by:

- (1) completing and submitting to the Department, or through a multi-state licensing system as designated by the Secretary, a renewal application form as provided by the Department;
- (2) paying the required fees; and
- (3) providing evidence to the Department, or through a multi-state licensing system as designated by the Secretary, of successful completion of the continuing education requirements through courses approved by the Department from education providers licensed by the Department, as established by the AQB and by rule.

(b) A State certified general real estate appraiser or State certified residential real estate appraiser whose license under this Act has expired may renew the license for a period of 2 years following the expiration date by complying with the requirements of paragraphs (1), (2), and (3) of subsection (a) of this Section and paying any late penalties established by rule.

(c) (Blank).

(d) The expiration date and renewal period for an associate real estate trainee appraiser license issued under this Act shall be set by rule. Except as otherwise provided in subsections (e) and (f) of this Section, the holder of an associate real estate trainee appraiser license may renew the license within 90 days preceding the expiration date by:

- (1) completing and submitting to the Department, or through a multi-state licensing system as designated by the Secretary, a renewal application form as provided by the Department;
- (2) paying the required fees; and
- (3) providing evidence to the Department, or through a multi-state licensing system as designated by the Secretary, of successful completion of the continuing education requirements through courses approved by the Department from education providers approved by the Department, as established by rule.

(e) Any associate real estate trainee appraiser whose license under this Act has expired may renew the license for a period of 2 years following the expiration date by complying with the requirements of paragraphs (1), (2), and (3) of subsection (d) of this Section and paying any late penalties as established by rule.

(f) Notwithstanding subsections (b) ~~(e)~~ and (e), an appraiser whose license under this Act has expired may renew or convert the license without paying any lapsed renewal fees or late penalties if the license expired while the appraiser was:

(1) on active duty with the United States Armed Services;

(2) serving as the Coordinator or an employee of the Department who was required to surrender the license during the term of employment.

Application for renewal must be made within 2 years following the termination of the military service or related education, training, or employment and shall include an affidavit from the licensee of engagement.

(g) The Department shall provide reasonable care and due diligence to ensure that each licensee under this Act is provided with a renewal application at least 90 days prior to the expiration date, but timely renewal or conversion of the license prior to its expiration date is the responsibility of the licensee.

(h) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or fee from a disciplinary matter or from a non-disciplinary action imposed by the Department until the fine or fee is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(i) The Department shall not issue or renew a license if the applicant or licensee has an unpaid fine or civil penalty imposed by the Department for unlicensed practice until the fine or civil penalty is paid to the Department or the applicant or licensee has entered into a payment plan and is current on the required payments.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

(225 ILCS 458/5-30)

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

Sec. 5-30. Endorsement. The Department may issue an appraiser license, without the required examination, to an applicant licensed by another state, territory, possession of the United States, or the District of Columbia, if (i) the licensing requirements of that licensing authority are, on the date of licensure, substantially equal to the requirements set forth under this Act or to a person who, at the time of the application, possessed individual qualifications that were substantially equivalent to the requirements of this Act ~~and~~ (ii) the applicant provides the Department with evidence of good standing from the Appraisal Subcommittee National Registry report and a criminal history records check in accordance with Section 5-22. An applicant under this Section shall pay all of the required fees.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 458/15-10)

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

Sec. 15-10. Grounds for disciplinary action.

(a) The Department may suspend, revoke, refuse to issue, renew, or restore a license and may reprimand, place on probation or administrative supervision, or take any disciplinary or non-disciplinary action, including imposing conditions limiting the scope, nature, or extent of the real estate appraisal practice of a licensee or reducing the appraisal rank of a licensee, and may impose an administrative fine not to exceed \$25,000 for each violation upon a licensee or applicant under this Act or any person who holds oneself out as an applicant or licensee for any one or combination of the following:

(1) Procuring or attempting to procure a license by knowingly making a false statement, submitting false information, engaging in any form of fraud or misrepresentation, or refusing to provide complete information in response to a question in an application for licensure.

(2) Failing to meet the minimum qualifications for licensure as an appraiser established by this Act.

(3) Paying money, other than for the fees provided for by this Act, or anything of value to a member or employee of the Board or the Department to procure licensure under this Act.

(4) Conviction of, or plea of guilty or nolo contendere, as enumerated in subsection (e) of Section 5-22, under the laws of any jurisdiction of the United States to: (i) ~~that is~~ a felony, misdemeanor, or administrative sanction or (ii) ~~that is~~ a crime that subjects the licensee to compliance with the requirements of the Sex Offender Registration Act.

(5) Committing an act or omission involving dishonesty, fraud, or misrepresentation with the intent to substantially benefit the licensee or another person or with intent to substantially injure another person as defined by rule.

(6) Violating a provision or standard for the development or communication of real estate appraisals as provided in Section 10-10 of this Act or as defined by rule.

(7) Failing or refusing without good cause to exercise reasonable diligence in developing, reporting, or communicating an appraisal, as defined by this Act or by rule.

(8) Violating a provision of this Act or the rules adopted pursuant to this Act.

(9) Having been disciplined by another state, the District of Columbia, a territory, a foreign nation, a governmental agency, or any other entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent of one of the grounds for which a licensee may be disciplined under this Act.

(10) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser reporting a predetermined estimate, analysis, or opinion or when the fee to be paid is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment.

(12) Developing valuation conclusions based on the race, color, religion, sex, national origin, ancestry, age, marital status, family status, physical or mental disability, sexual orientation, pregnancy, order of protection status, military status, unfavorable military discharge, source of income, or any other protected class, as defined under the Illinois Human Rights Act, of the prospective or present owners or occupants of the area or property under appraisal.

(13) Violating the confidential nature of government records to which the licensee gained access through employment or engagement as an appraiser by a governmental ~~government~~ agency.

(14) Being adjudicated liable in a civil proceeding on grounds of fraud, misrepresentation, or deceit. In a disciplinary proceeding based upon a finding of civil liability, the appraiser shall be afforded an opportunity to present mitigating and extenuating circumstances, but may not collaterally attack the civil adjudication.

(15) Being adjudicated liable in a civil proceeding for violation of a state or federal fair housing law.

(16) Engaging in misleading or untruthful advertising or using a trade name or insignia of membership in a real estate appraisal or real estate organization of which the licensee is not a member.

(17) Failing to fully cooperate with a Department investigation by knowingly making a false statement, submitting false or misleading information, or refusing to provide complete information in response to written interrogatories or a written request for documentation within 30 days of the request.

(18) Failing to include within the certificate of appraisal for all written appraisal reports the appraiser's license number and licensure title. All appraisers providing significant contribution to the development and reporting of an appraisal must be disclosed in the appraisal report. It is a violation of this Act for an appraiser to sign a report, transmittal letter, or appraisal certification knowing that a person providing a significant contribution to the report has not been disclosed in the appraisal report.

(19) Violating the terms of a disciplinary order or Consent ~~consent~~ to Administrative Supervision ~~administrative supervision~~ order.

(20) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in a licensee's inability to practice with reasonable judgment, skill, or safety ~~that may result in significant harm to the public~~.

(21) A physical or mental illness or disability which results in the inability to practice under this Act with reasonable judgment, skill, or safety.

(22) Gross negligence in developing an appraisal or in communicating an appraisal or failing to observe one or more of the Uniform Standards of Professional Appraisal Practice.

(23) A pattern of practice or other behavior that demonstrates incapacity or incompetence to practice under this Act.

(24) Using or attempting to use the seal, certificate, or license of another as one's own; falsely impersonating any duly licensed appraiser; using or attempting to use an inactive, expired, suspended, or revoked license; or aiding or abetting any of the foregoing.

- (25) Solicitation of professional services by using false, misleading, or deceptive advertising.
- (26) Making a material misstatement in furnishing information to the Department.
- (27) Failure to furnish information to the Department upon written request.

(b) The Department may reprimand, suspend, revoke, or refuse to issue or renew an education provider's license, may reprimand, place on probation, or otherwise discipline an education provider, and may suspend or revoke the course approval of any course offered by an education provider and may impose an administrative fine not to exceed \$25,000 upon an education provider, for any of the following:

- (1) Procuring or attempting to procure licensure by knowingly making a false statement, submitting false information, engaging in any form of fraud or misrepresentation, or refusing to provide complete information in response to a question in an application for licensure.
- (2) Failing to comply with the covenants certified to on the application for licensure as an education provider.
- (3) Committing an act or omission involving dishonesty, fraud, or misrepresentation or allowing any such act or omission by any employee or contractor under the control of the provider.
- (4) Engaging in misleading or untruthful advertising.
- (5) Failing to retain competent instructors in accordance with rules adopted under this Act.
- (6) Failing to meet the topic or time requirements for course approval as the provider of a qualifying curriculum course or a continuing education course.
- (7) Failing to administer an approved course using the course materials, syllabus, and examinations submitted as the basis of the course approval.
- (8) Failing to provide an appropriate classroom environment for presentation of courses, with consideration for student comfort, acoustics, lighting, seating, workspace, and visual aid material.
- (9) Failing to maintain student records in compliance with the rules adopted under this Act.
- (10) Failing to provide a certificate, transcript, or other student record to the Department or to a student as may be required by rule.
- (11) Failing to fully cooperate with an investigation by the Department by knowingly making a false statement, submitting false or misleading information, or refusing to provide complete information in response to written interrogatories or a written request for documentation within 30 days of the request.

(c) In appropriate cases, the Department may resolve a complaint against a licensee through the issuance of a Consent to Administrative Supervision order. A licensee subject to a Consent to Administrative Supervision order shall be considered by the Department as an active licensee in good standing. This order shall not be reported or considered by the Department to be a discipline of the licensee. The records regarding an investigation and a Consent to Administrative Supervision order shall be considered confidential and shall not be released by the Department except as mandated by law.

(Source: P.A. 102-20, eff. 1-1-22; 103-236, eff. 1-1-24; revised 6-24-25.)

(225 ILCS 458/15-10.1)

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

Sec. 15-10.1. Citations.

(a) The Department may adopt rules to permit the issuance of citations to any licensee for failure to comply with the continuing education requirements set forth in this Act or as established by rule. The citation shall be issued to the licensee. For associate real estate trainee appraisers, a copy shall also be sent to the licensee's supervising appraiser of record. The citation shall contain the licensee's name, the licensee's address, the licensee's license number, the number of required hours of continuing education that have not been successfully completed by the licensee's ~~licensee within the renewal deadline period~~, and the penalty imposed, which shall not exceed \$2,000. The issuance of a citation shall not excuse the licensee from completing all continuing education required for that renewal period.

(b) Service of a citation shall be made in person, electronically, or by mail to the licensee at the licensee's address of record or email address of record and ~~Service of a citation~~ must clearly state that if the cited licensee wishes to dispute the citation, the cited licensee may make a written request, within 30 days after the citation is served, for a hearing before the Department. If the cited licensee does not request a hearing within 30 days after the citation is served, then ~~the citation shall become~~ a final, non-disciplinary order shall be entered, and any fine imposed is due and payable within 30 ~~60~~ days after the entry of that final order. If the cited licensee requests a hearing within 30 days after the citation is served, the Department shall afford the cited licensee a hearing conducted in the same manner as a hearing provided for in this Act for any violation of this Act and shall determine whether the cited licensee committed the violation as

charged and whether the fine as levied is warranted. If the violation is found, any fine shall constitute non-public discipline and be due and payable within 30 days after the order of the Secretary, which shall constitute a final order of the Department. No change in license status may be made by the Department until a final order of the Department has been issued.

(c) Payment of a fine that has been assessed pursuant to this Section shall not constitute disciplinary action reportable on the Department's website or elsewhere unless a licensee has previously received 2 or more citations and been assessed 2 or more fines.

(d) Nothing in this Section shall prohibit or limit the Department from taking further action pursuant to this Act and rules for additional, repeated, or continuing violations.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 458/15-11)

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

Sec. 15-11. Illegal discrimination.

(a) When there has been an adjudication in a civil or criminal proceeding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following notice to the licensee and a hearing in accordance with Section 15-15 and upon the recommendation of the Board as to the extent of the suspension or revocation, shall suspend or revoke the license of that licensee in a timely manner, unless the adjudication is in the appeal process. The finding or judgment of the civil or criminal proceeding is a matter of record, the merits of which shall not be challenged in a request for a hearing by the licensee.

(b) When there has been an order in an administrative proceeding finding that a licensee has illegally discriminated while engaged in any activity for which a license is required under this Act, the Department, following notice to the licensee and a hearing in accordance with Section 15-15, and upon recommendation of the Board as to the nature and extent of the discipline, shall take one or more of the disciplinary actions provided for in Section 15-10 in a timely manner, unless the administrative order is in the appeal process. The finding of the administrative order is a matter of record, the merits of which shall not be challenged in a request for a hearing by the licensee.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 458/15-15)

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

Sec. 15-15. Investigation; notice; hearing.

(a) Upon the motion of the Department or the Board or upon a complaint in writing of a person setting forth facts that, if proven, would constitute grounds for suspension, revocation, or other disciplinary action, the Department shall investigate the actions or qualifications of any person who is a licensee, applicant for licensure, unlicensed person, person rendering or offering to render appraisal services, or person holding or claiming to hold a license under this Act. If, upon investigation, the Department believes that there may be cause for suspension, revocation, or other disciplinary action, the Department ~~may shall~~ use the services of a State certified general real estate appraiser, a State certified residential real estate appraiser, or the Coordinator to assist in determining whether grounds for disciplinary action exist prior to commencing formal disciplinary proceedings.

(b) Formal disciplinary proceedings shall commence upon the issuance of a written complaint describing the charges that are the basis of the disciplinary action and delivery of the detailed complaint to the most recent address of record or email address of record of the person charged as provided to the Department. For an associate real estate trainee appraiser, a copy shall also be sent to the licensee's supervising appraiser of record at the supervising appraiser's most recent address of record or email address of record as provided to the Department. The Department shall notify the person to file a verified written answer within 20 days after the service of the notice and complaint. The notification shall inform the person of the right to be heard in person or by legal counsel; that the hearing will be afforded not sooner than 20 days after service of the complaint; that failure to file an answer after service of notice will result in a default being entered against the person; that the license may be suspended, revoked, or placed on probationary status; and that the Department may take whatever other disciplinary action may be taken pursuant to this Act, including limiting the scope, nature, or extent of the licensee's practice without a hearing. ~~If the person fails to file an answer after service of notice, the respective license may, at the discretion of the Department, be suspended, revoked, or placed on probationary status and the Department may take whatever disciplinary action it deems proper, including limiting the scope, nature, or extent of the person's practice, without a hearing.~~

(c) At the time and place fixed in the notice, the Department Board shall conduct a hearing of the charges, providing both the person charged and the complainant ample opportunity to present in person or by counsel such statements, testimony, evidence, and argument as may be pertinent to the charges or to a defense thereto. If the person fails to file an answer after service of notice, the respective license may, at the discretion of the Department, be suspended, revoked, or placed on probationary status and the Department may take whatever disciplinary action it deems proper, including limiting the scope, nature, or extent of the person's practice, without a hearing.

(c-5) The Secretary shall have the authority to appoint an attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action to suspend, revoke, or otherwise discipline any license issued by the Department. The Hearing Officer shall have full authority to conduct the hearing.

There may be present one or more members of the Board at any such hearing. The hearing officer shall report the hearing officer's findings and recommendations to the Board and the Secretary. The Board shall have 60 days from receipt of the report to review the report of the hearing officer and present its findings of fact, conclusions of law, and recommendations to the Secretary. If the Board fails to present its findings of fact, conclusions of law, and recommendations within the 60-day period, the Department may request in writing a direct appeal to the Secretary, in which case the Secretary may issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order. If the Board fails to present its findings of fact, conclusions of law, and recommendations within a 60-day period after receiving an Order of Default, the Department may request in writing a direct appeal to the Secretary.

(d) The Board shall present to the Secretary a written report of its findings of fact and recommendations. A copy of the report shall be served upon the person either by mail or, at the discretion of the Department, by electronic means. For associate real estate trainee appraisers, a copy shall also be sent to the licensee's supervising appraiser of record. Within 20 days after the service, the person may present to the Department Secretary with a motion in writing for a rehearing that specifies and shall specify the particular grounds for the request. If the person orders a transcript of the record from the applicable reporting service and pays for the transcript within the 20-day period for filing a motion for rehearing, the 20-day period shall restart upon the delivery of the transcript.

Notwithstanding any other provision of this Section, if the Secretary, upon review, determines that substantial justice has not been done in the revocation, suspension, or refusal to issue or renew a license or any other disciplinary action taken as a result of the entry of the hearing officer's report, the Secretary may order a rehearing by the Board or other special committee appointed by the Secretary or may remand the matter to the Board for its reconsideration of the matter based on the pleadings and evidence presented to the Board. If the Secretary disagrees in any regard with the report of the Board or the hearing officer, the Secretary may issue an order in contravention of the Board or the hearing officer. If the person orders a transcript of the record as provided in this Act, the time elapsing thereafter and before the transcript is ready for delivery to the person shall not be counted as part of the 20 days. If the Secretary is not satisfied that substantial justice has been done, the Secretary may order a rehearing by the Board or other special committee appointed by the Secretary, may remand the matter to the Board for its reconsideration of the matter based on the pleadings and evidence presented to the Board, or may enter a final order in contravention of the Board's recommendation. Notwithstanding a person's failure to file a motion for rehearing, the Secretary shall have the right to take any of the actions specified in this subsection (d). Upon the suspension or revocation of a license, the licensee shall be required to surrender the respective license to the Department, and upon failure or refusal to do so, the Department shall have the right to seize the license.

(e) The Department has the power to issue subpoenas and subpoenas duces tecum to bring before it any person in this State, to take testimony, or to require production of any records relevant to an inquiry or hearing by the Board in the same manner as prescribed by law in judicial proceedings in the courts of this State. In a case of refusal of a witness to attend, testify, or to produce books or papers concerning a matter upon which the witness might be lawfully examined, the circuit court of the county where the hearing is held, upon application of the Department or any party to the proceeding, may compel obedience by proceedings as for contempt.

(f) Any license that is revoked may not be restored for a minimum period of 3 years.

(g) In addition to the provisions of this Section concerning the conduct of hearings and the recommendations for discipline, the Department has the authority to negotiate disciplinary and non-disciplinary settlement agreements concerning any license issued under this Act. All such agreements shall be recorded as Consent Orders or Consent to Administrative Supervision Orders.

(h) ~~(Blank). The Secretary shall have the authority to appoint an attorney duly licensed to practice law in the State of Illinois to serve as the hearing officer in any action to suspend, revoke, or otherwise discipline any license issued by the Department. The Hearing Officer shall have full authority to conduct the hearing.~~

(i) The Department, at its expense, shall preserve a record of all formal hearings of any contested case involving the discipline of a license. At all hearings or pre-hearing conferences, the Department and the licensee shall be entitled to have the proceedings transcribed by a certified shorthand reporter. A copy of the transcribed proceedings shall be made available to the licensee by the certified shorthand reporter upon payment of the prevailing contract copy rate.

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22; 103-236, eff. 1-1-24; revised 6-24-25.)

(225 ILCS 458/25-10)

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

Sec. 25-10. Real Estate Appraisal Administration and Disciplinary Board; appointment.

(a) There is hereby created the Real Estate Appraisal Administration and Disciplinary Board. The Board shall be composed of the Coordinator and 10 persons appointed by the Governor. Members shall be appointed to the Board subject to the following conditions:

(1) All appointed members shall have been residents and citizens of this State for at least 5 years prior to the date of appointment.

(2) The appointed membership of the Board should reasonably reflect the geographic distribution of the population of the State.

(3) Four appointed members shall have been actively engaged and currently licensed as State certified general real estate appraisers for a period of not less than 5 years.

(4) Three appointed members shall have been actively engaged and currently licensed as State certified residential real estate appraisers for a period of not less than 5 years.

(5) One appointed member shall hold a valid license as a real estate broker for at least 3 years prior to the date of the appointment and shall hold either a valid State certified general real estate appraiser license or a valid State certified residential appraiser license issued under this Act or a predecessor Act for a period of at least 5 years prior to the appointment.

(6) One appointed member shall be a representative of a financial institution, as evidenced by proof of employment with a financial institution.

(7) One appointed member shall represent the interests of the general public. This member or the member's spouse shall not be licensed under this Act nor be employed by or have any financial interest in an appraisal business, appraisal management company, real estate brokerage business, or a financial institution.

In making appointments as provided in paragraphs (3) and (4) of this subsection, the Governor shall give due consideration to recommendations by members and organizations representing the profession.

In making the appointments as provided in paragraph (5) of this subsection, the Governor shall give due consideration to the recommendations by members and organizations representing the real estate industry.

In making the appointment as provided in paragraph (6) of this subsection, the Governor shall give due consideration to the recommendations by members and organizations representing financial institutions.

(b) The members' terms shall be for 4 years or until a successor is appointed. No member shall be reappointed to the Board for a term that would cause the member's cumulative service to the Board to exceed 12 years. Appointments to fill vacancies shall be for the unexpired portion of the term.

(c) The Governor may terminate the appointment of a member for cause that, in the opinion of the Governor, reasonably justifies the termination. Cause for termination may include, without limitation, misconduct, incapacity, neglect of duty, or missing 4 Board meetings during any one fiscal year.

(d) A majority of the Board members shall constitute a quorum. A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the Board.

~~(e) The Board shall meet at least monthly and may be convened by the Chairperson, Vice Chairperson, or 3 members of the Board upon 10 days written notice.~~

(f) The Board shall, annually at the first meeting of the fiscal year, elect a Chairperson and Vice-Chairperson from its members. The Chairperson shall preside over the meetings and shall coordinate with the Coordinator in developing and distributing an agenda for each meeting. In the absence of the Chairperson, the Vice-Chairperson shall preside over the meeting.

(g) The Coordinator shall serve as a member of the Board without vote.

(h) The Board shall advise and make recommendations to the Department on the education and experience qualifications of any applicant for initial licensure as a State certified general real estate appraiser or a State certified residential real estate appraiser. The Department shall not make any decisions concerning education or experience qualifications of an applicant for initial licensure as a State certified general real estate appraiser or a State certified residential real estate appraiser without having first received the advice and recommendation of the Board and shall give due consideration to all such advice and recommendations; however, if the Board does not render advice or make a recommendation within a reasonable amount of time, then the Department may render a decision.

(i) Except as provided in Section 15-17 of this Act, the Board shall hear and make recommendations to the Secretary on disciplinary matters that require a formal evidentiary hearing. The Secretary shall give due consideration to the recommendations of the Board involving discipline and questions involving standards of professional conduct of licensees.

(j) The Department shall seek and the Board shall provide recommendations to the Department consistent with the provisions of this Act and for the administration and enforcement of all rules adopted pursuant to this Act. The Department shall give due consideration to such recommendations prior to adopting rules.

(k) The Department shall seek and the Board shall provide recommendations to the Department on the approval of all courses submitted to the Department pursuant to this Act and the rules adopted pursuant to this Act. The Department shall not approve any courses without having first received the recommendation of the Board and shall give due consideration to such recommendations prior to approving and licensing courses; however, if the Board does not make a recommendation within a reasonable amount of time, then the Department may approve courses.

(l) Each voting member of the Board may receive a per diem stipend in an amount to be determined by the Secretary. While engaged in the performance of duties, each member shall be reimbursed for necessary expenses.

(m) Members of the Board shall be immune from suit in an action based upon any disciplinary proceedings or other acts performed in good faith as members of the Board.

(n) If the Department disagrees with any advice or recommendation provided by the Board under this Section to the Secretary or the Department, then notice of such disagreement must be provided to the Board by the Department.

(o) (Blank).

(Source: P.A. 102-20, eff. 1-1-22; 102-970, eff. 5-27-22; 103-236, eff. 1-1-24.)

Section 50. The Appraisal Management Company Registration Act is amended by changing Sections 10, 15, 20, 43, and 45, 60, 65, 75, 105, 110, 125, 165 as follows:

(225 ILCS 459/10)

Sec. 10. Definitions. In this Act:

"Address of record" means the principal address recorded by the Department in the applicant's or registrant's application file or registration file maintained by the Department's registration maintenance unit.

"Applicant" means a person or entity who applies to the Department for a registration under this Act.

"Appraisal" means (noun) the act or process of developing an opinion of value; an opinion of value (adjective) of or pertaining to appraising and related functions.

"Appraisal firm" means an appraisal entity that is 100% owned and controlled by a person or persons licensed in Illinois as a certified general real estate appraiser or a certified residential real estate appraiser. An appraisal firm does not include an appraisal management company.

"Appraisal management company" means any corporation, limited liability company, partnership, sole proprietorship, subsidiary, unit, or other business entity that directly or indirectly: (1) provides appraisal management services to creditors or secondary mortgage market participants, including affiliates; (2) provides appraisal management services in connection with valuing the consumer's principal dwelling as security for a consumer credit transaction (including consumer credit transactions incorporated into securitizations); and (3) any appraisal management company that, within a given 12-month period, oversees an appraiser panel of 16 or more State-certified appraisers in Illinois or 25 or more State-certified or State-licensed appraisers in 2 or more jurisdictions. "Appraisal management company" includes a hybrid entity.

"Appraisal management company national registry fee" means the fee implemented pursuant to Title XI of the federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 for an appraiser management company's national registry.

"Appraisal management services" means one or more of the following:

- (1) recruiting, selecting, and retaining appraisers;
- (2) contracting with State-certified or State-licensed appraisers to perform appraisal assignments;
- (3) managing the process of having an appraisal performed, including providing administrative services such as receiving appraisal orders and appraisal reports; submitting completed appraisal reports to creditors and secondary market participants; collecting compensation from creditors, underwriters, or secondary market participants for services provided; and ~~or~~ paying appraisers for services performed; and ~~or~~
- (4) reviewing and verifying the work of appraisers.

"Appraiser panel" means a network, list, or roster of licensed or certified appraisers approved by the appraisal management company or by the end-user client to perform appraisals as independent contractors for the appraisal management company. "Appraiser panel" includes both appraisers accepted by an appraisal management company for consideration for future appraisal assignments and appraisers engaged by an appraisal management company to perform one or more appraisals. For the purposes of determining the size of an appraiser panel, only independent contractors of hybrid entities shall be counted towards the appraiser panel.

"Appraiser panel fee" means the amount collected from a registrant that, where applicable, includes an appraisal management company's national registry fee.

"Appraisal report" means a written appraisal by an appraiser to a client.

"Appraisal practice service" means valuation services performed by an individual acting as an appraiser, including, but not limited to, appraisal or appraisal review.

"Appraisal subcommittee" means the appraisal subcommittee of the Federal Financial Institutions Examination Council as established by Title XI.

"Appraiser" means a person who performs real estate or real property appraisals.

"Assignment result" means an appraiser's opinions and conclusions developed specific to an assignment.

"Audit" includes, but is not limited to, an annual or special audit, visit, or review necessary under this Act or required by the Secretary or the Secretary's authorized representative in carrying out the duties and responsibilities under this Act.

"Client" means the party or parties who engage an appraiser by employment or contract in a specific appraisal assignment.

"Controlling person" means:

- (1) an owner, officer, or director of an entity seeking to offer appraisal management services;
- (2) an individual employed, appointed, or authorized by an appraisal management company who has the authority to:
 - (A) enter into a contractual relationship with a client for the performance of an appraisal management service or appraisal practice service; and
 - (B) enter into an agreement with an appraiser for the performance of a real estate appraisal activity;
- (3) an individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company; or
- (4) an individual who will act as the sole compliance officer with regard to this Act and any rules adopted under this Act.

"Covered transaction" means a consumer credit transaction secured by a consumer's principal dwelling.

"Department" means the Department of Financial and Professional Regulation.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the registrant's registration file maintained by the Department's registration maintenance unit.

"Entity" means a corporation, a limited liability company, partnership, a sole proprietorship, or other entity providing services or holding itself out to provide services as an appraisal management company or an appraisal management service.

"End-user client" means any person who utilizes or engages the services of an appraiser through an appraisal management company.

"Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as defined in 12 U.S.C. 1813, or an insured credit union, as defined in 12 U.S.C. 1752, and regulated by the Office of the Comptroller of the Currency, the Federal Reserve Board, the National Credit Union Association, or the Federal Deposit Insurance Corporation.

"Financial institution" means any bank, savings bank, savings and loan association, credit union, mortgage broker, mortgage banker, registrant under the Consumer Installment Loan Act or the Sales Finance Agency Act, or a corporate fiduciary, subsidiary, affiliate, parent company, or holding company of any registrant, or any institution involved in real estate financing that is regulated by State or federal law.

"Foreign appraisal management company" means any appraisal management company organized under the laws of any other state of the United States, the District of Columbia, or any other jurisdiction of the United States.

"Hybrid entity" means an appraisal management company that hires an appraiser as an employee to perform an appraisal and engages an independent contractor to perform an appraisal.

"Multi-state licensing system" means a web-based platform that allows an applicant to submit the application or registration renewal to the Department online.

"Person" means individuals, entities, sole proprietorships, corporations, limited liability companies, and alien, foreign, or domestic partnerships, except that when the context otherwise requires, the term may refer to a single individual or other described entity.

"Principal dwelling" means a residential structure that contains one to 4 units, whether or not that structure is attached to real property. "Principal dwelling" includes an individual condominium unit, cooperative unit, manufactured home, mobile home, and trailer, if it is used as a residence.

"Principal office" means the actual, physical business address, which shall not be a post office box or a virtual business address, of a registrant, at which (i) the Department may contact the registrant and (ii) records required under this Act are maintained.

"Qualified to transact business in this State" means being in compliance with the requirements of the Business Corporation Act of 1983.

"Quality control review" means a review of an appraisal report for compliance and completeness, including grammatical, typographical, or other similar errors, unrelated to developing an opinion of value.

"Real estate" means an identified parcel or tract of land, including any improvements.

"Real estate related financial transaction" means any transaction involving:

- (1) the sale, lease, purchase, investment in, or exchange of real property, including interests in property or the financing thereof;
- (2) the refinancing of real property or interests in real property; and
- (3) the use of real property or interest in property as security for a loan or investment, including mortgage backed securities.

"Real property" means the interests, benefits, and rights inherent in the ownership of real estate.

"Secretary" means the Secretary of Financial and Professional Regulation.

"USPAP" means the Uniform Standards of Professional Appraisal Practice as adopted by the Appraisal Standards Board under Title XI.

"Valuation" means any estimate of the value of real property in connection with a creditor's decision to provide credit, including those values developed under a policy of a government sponsored enterprise or by an automated valuation model or other methodology or mechanism.

"Written notice" means a communication transmitted by mail or by electronic means that can be verified between an appraisal management company and a licensed or certified real estate appraiser.

(Source: P.A. 102-20, eff. 1-1-22; 102-687, eff. 12-17-21.)

(225 ILCS 459/15)

Sec. 15. Exemptions.

(a) Nothing in this Act shall apply to any of the following:

(1) an agency of the federal, State, county, or municipal government or an officer or employee of a ~~governmental~~ governmental agency, or person, described in this Section when acting within the scope of employment of the officer or employee;

(2) a corporate relocation company when the appraisal is not used for mortgage purposes and the end user client is an employer company;

(3) any person licensed in this State under any other Act while engaged in the activities or practice for which ~~the person he or she~~ is licensed;

(4) any person licensed to practice law in this State who is working with or on behalf of a client of that person in connection with one or more appraisals for that client;

(5) an appraiser that enters into an agreement, whether written or otherwise, with another appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal, except that an appraisal management company may not avoid the requirement of registration under this Act by requiring an employee of the appraisal management company who is an appraiser to sign an appraisal that was completed by another appraiser who is part of the appraisal panel of the appraisal management company;

(6) any person acting as an agent of the Illinois Department of Transportation in the acquisition or relinquishment of land for transportation issues to the extent of their contract scope;

(7) a design professional entity when the appraisal is not used for mortgage purposes and the end user client is an agency of State government or a unit of local government;

(8) an appraiser firm whose ownership is appropriately certified under the Real Estate Appraiser Licensing Act of 2002;

(9) an appraisal management company solely engaged in non-residential appraisal management services; or

(10) a department or division of an entity that provides appraisal management services only to that entity.

(b) A federally regulated appraisal management company shall register with the Department for the sole purpose of collecting required information for, and to pay all fees associated with, the State of Illinois' obligation to register the federally regulated appraisal management company with the Appraisal Management Companies National Registry, but the federally regulated appraisal management company is otherwise exempt from all other provisions in this Act.

(c) In the event that the Final Interim Rule of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act provides that an appraisal management company is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution's regulatory agency and is exempt from State appraisal management company registration requirements, the Department, shall, by rule, provide for the implementation of such an exemption.

(Source: P.A. 102-20, eff. 1-1-22.)

(225 ILCS 459/20)

Sec. 20. Restrictions and limitations. Beginning January 1, 2012, it is unlawful for a person or entity to act or assume to act as an appraisal management company as defined in this Act, to engage in the business of appraisal management service, or to advertise or hold ~~oneself himself or herself~~ out to be a registered appraisal management company without first obtaining a registration issued by the Department under this Act. A person or entity that violates this Section is guilty of a Class A misdemeanor for the first offense and a Class 4 felony for second and subsequent offenses.

(Source: P.A. 100-604, eff. 7-13-18.)

(225 ILCS 459/43)

Sec. 43. Application denial. If an application is denied, the applicant may, within 20 days after the date of the notice of denial, make a written request to the Secretary for a hearing on the application, and the Secretary shall set a time and place for the hearing. The hearing shall be set for a date after the receipt by the Secretary of the request for hearing, and notice of the time and place of the hearing shall be communicated to the applicant at least 10 days before the date of the hearing. The applicant shall pay the actual cost of making the transcript of the hearing before the Secretary issues a ~~his or her~~ decision following the hearing. If, following the hearing, the application is denied, the Secretary shall prepare and keep on file ~~in his or her office~~ a written order of denial thereof that shall contain ~~the his or her~~ findings and the reasons supporting the denial and shall communicate a copy to the applicant in a manner prescribed by the Department. A decision may be reviewed as provided in Section 135.

(Source: P.A. 100-604, eff. 7-13-18.)

(225 ILCS 459/45)

Sec. 45. Expiration and renewal of registration. The expiration date and renewal period for each registration shall be set by rule. A registrant whose registration has expired may reinstate ~~the his or her~~

registration at any time within 5 years after the expiration thereof, by making a renewal application and by paying the required fee.

Any registrant whose registration has expired for more than 5 years may have it restored by making application to the Department, paying the required fee, and filing acceptable proof of fitness to have the registration restored as set by rule.

(Source: P.A. 97-602, eff. 8-26-11.)

(225 ILCS 459/60)

Sec. 60. Returned checks; fines. Any person who delivers a check or other payment to the Department that is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fine of \$50. The fines imposed by this Section are in addition to any other discipline provided under this Act for unregistered practice or practice on a nonrenewed registration. The Department shall notify the person that payment of fees and fines shall be paid to the Department by certified check or money order within 30 calendar days of the notification. If, after the expiration of 30 days after the date of the notification, the person has failed to submit the necessary remittance, the Department shall automatically terminate the registration or deny the application, without hearing. If, after termination or denial, the person seeks a registration, ~~the person he or she~~ shall apply to the Department for restoration or issuance of the registration and pay all fees and fines due to the Department. The Department may establish a fee for the processing of an application for restoration of a registration to pay all expenses of processing this application. The Secretary may waive the fines due under this Section in individual cases where the Secretary finds that the fines would be unreasonable or unnecessarily burdensome.

(Source: P.A. 97-602, eff. 8-26-11.)

(225 ILCS 459/65)

Sec. 65. Disciplinary actions.

(a) The Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand, or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed \$25,000 for each violation upon any registrant or applicant under this Act or entity who holds oneself or itself out as an applicant or registrant, for any one or combination of the following:

- (1) Material misstatement in furnishing information to the Department.
- (2) Violations of this Act, or of the rules adopted under this Act.
- (3) Conviction of, or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof or that is a misdemeanor of which an essential element is dishonesty, or any crime that is directly related to the practice of the profession.
- (4) Making any misrepresentation for the purpose of obtaining registration or violating any provision of this Act or the rules adopted under this Act pertaining to advertising.
- (5) Professional incompetence.
- (6) Gross malpractice.
- (7) Aiding or assisting another person in violating any provision of this Act, the Illinois Real Estate Appraiser Licensing Act of 2002, or the ~~of~~ rules adopted under either ~~this~~ Act.
- (8) Failing, within 30 days after requested, to provide information in response to a written request made by the Department.
- (9) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
- (10) Discipline by another state, the District of Columbia, a territory, or a foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Section.
- (11) A finding by the Department that the registrant, after having the registrant's registration placed on probationary status, has violated the terms of probation.
- (12) Willfully making or filing false records or reports in the registrant's practice, including, but not limited to, false records filed with State agencies or departments.
- (13) Filing false statements for collection of fees for which services are not rendered.
- (14) Practicing under a false or, except as provided by law, an assumed name.
- (15) Fraud or misrepresentation in applying for, or procuring, a registration under this Act or in connection with applying for renewal of a registration under this Act.

(16) Being adjudicated liable in a civil proceeding for violation of a state or federal fair housing law.

(17) (Blank). Failure to obtain or maintain the bond required under Section 50 of this Act.

(18) Failure to pay appraiser panel fees or appraisal management company national registry fees.

(19) Violating the terms of any order issued by the Department.

(b) The Department may refuse to issue or may suspend without hearing as provided for in the Department of Professional Regulation Law of the Civil Administrative Code of Illinois the registration of any person who fails to file a return, or to pay the tax, penalty, or interest shown in a filed return, or to pay any final assessment of the tax, penalty, or interest as required by any tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(b-5) The Department may refuse to issue or renew or may suspend without hearing as provided for in the Department of Professional Regulation Law of the Civil Administrative Code of Illinois the registration of any person who fails to pay or secure workers' compensation obligations as determined by and based solely upon the certification of the Department of Insurance or the Illinois Workers' Compensation Commission.

(c) An appraisal management company shall not be registered or included on the national registry if the company, in whole or in part, directly or indirectly, is owned by a person who has had an appraiser license or certificate refused, denied, canceled, surrendered in lieu of revocation, or revoked under the Real Estate Appraiser Licensing Act of 2002 or the rules adopted under that Act, or similar discipline by another state, the District of Columbia, a territory, a foreign nation, a governmental agency, or an entity authorized to impose discipline if at least one of the grounds for that discipline is the same as or the equivalent of one of the grounds for which a licensee may be disciplined as set forth under this Section.

(Source: P.A. 103-236, eff. 1-1-24; revised 6-24-25.)

(225 ILCS 459/75)

Sec. 75. Investigations; notice and hearing. The Department may investigate the actions of any person who is an applicant or of any person or persons rendering or offering to render any services requiring registration under this Act or any person holding or claiming to hold a registration as an appraisal management company. The Department shall, before revoking, suspending, placing on probation, reprimanding, or taking any other disciplinary or non-disciplinary action under Section 65 or Section 165 of this Act, at least 30 days before the date set for the hearing, (i) notify the person charged in writing of the charges made and the time and place for the hearing on the charges, (ii) direct the person to file a written answer to the charges with the Department under oath within 20 days after service of the notice, and (iii) inform the person that, if the person fails to answer, default will be entered or that the person's registration may be suspended, revoked, placed on probationary status, or other disciplinary action taken with regard to the registration, including limiting the scope, nature, or extent of the person's practice, as the Department may consider proper. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, the person's registration may, in the discretion of the Department, be suspended, revoked, placed on probationary status, or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under this Act. The written notice may be served by certified mail or electronic mail to the last address of record or email address of record as provided to the Department 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.

(Source: P.A. 103-236, eff. 1-1-24.)

(225 ILCS 459/105)

Sec. 105. Secretary; rehearing. Whenever the Secretary believes that substantial justice has not been done in the revocation, suspension, or refusal to issue, restore, or renew a registration, or other discipline of an applicant or registrant, the Secretary ~~he or she~~ may order a rehearing by the same or other hearing officers.

(Source: P.A. 97-602, eff. 8-26-11.)

(225 ILCS 459/110)

Sec. 110. Appointment of a hearing officer. The Secretary has the authority to appoint any attorney licensed to practice law in the State to serve as the hearing officer in any action for refusal to issue, restore, or renew a registration or to discipline a registrant. The hearing officer has full authority to conduct the hearing. The hearing officer shall report ~~the his or her~~ findings of fact, conclusions of law, and recommendations to the Secretary. If the Secretary disagrees with the recommendation of the hearing officer, the Secretary may issue an order in contravention of the recommendation.

(Source: P.A. 97-602, eff. 8-26-11.)

(225 ILCS 459/125)

Sec. 125. Surrender of registration. Upon the revocation or suspension of a registration, the registrant shall immediately surrender ~~the his or her~~ registration to the Department. If the registrant fails to do so, the Department has the right to seize the registration.

(Source: P.A. 97-602, eff. 8-26-11.)

(225 ILCS 459/165)

Sec. 165. Prohibited activities.

(a) No person or entity acting in the capacity of an appraisal management company shall improperly influence or attempt to improperly influence the development, reporting, result, or review of any appraisal by engaging, without limitation, in any of the following:

(1) Withholding or threatening to withhold timely payment for a completed appraisal, except where addressed in a mutually agreed upon contract.

(2) Withholding or threatening to withhold, either expressed or by implication, future business from, or demoting, or terminating, or threatening to demote or terminate an Illinois licensed or certified appraiser.

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an independent appraiser.

(4) Conditioning an assignment for an appraisal service or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached in an appraisal report.

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report or provide estimated values or sales at any time prior to the appraiser's completion of an appraisal report.

(6) Allowing or directing the removal of an appraiser from an appraisal panel without prior written notice to the appraiser.

(7) Requiring an appraiser to sign a non-compete clause when not an employee of the entity.

(8) Requiring an appraiser to sign any sort of indemnification agreement that would require the appraiser to defend and hold harmless the appraisal management company or any of its agents, employees, or independent contractors for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company or its agents, employees, or independent contractors and not the services performed by the appraiser.

(9) Prohibiting or attempting to prohibit the appraiser from including or referencing the appraisal fee, the appraisal management company name or identity, or the client's or lender's name or identity within the body of the appraisal report.

(10) Require an appraiser to collect a fee from the borrower or occupant of the property to be appraised.

(11) Knowingly withholding any end-user client guidelines, policies, requirements, standards, assignment conditions, and special instructions from an appraiser prior to the acceptance of an appraisal assignment.

(b) A person or entity may not structure an appraisal assignment or a contract with an independent appraiser for the purpose of evading the provisions of this Act.

(c) No registrant or other person or entity may alter, modify, or otherwise change a completed appraisal report submitted by an independent appraiser, including without limitation, by doing either of the following:

(1) permanently or temporarily removing the appraiser's signature or seal; or

(2) adding information to, or removing information from, the appraisal report with an intent to change the value conclusion or the condition of the property.

(d) No appraisal management company may require an appraiser to provide it with the appraiser's digital signature or seal. However, nothing in this Act shall be deemed to prohibit an appraiser from

voluntarily providing the appraiser's ~~his or her~~ digital signature or seal to another person on an assignment-by-assignment basis, in accordance with USPAP.

(e) Nothing in this Act shall prohibit an appraisal management company from requesting that an appraiser:

- (1) consider additional appropriate property information, including the consideration of additional comparable properties to make or support an appraisal;
- (2) provide further detail, substantiation, or explanation for the appraiser's value conclusion; or
- (3) correct factual errors in the appraisal report.

(Source: P.A. 97-602, eff. 8-26-11.)

(225 ILCS 459/50 rep.)

Section 55. The Appraisal Management Company Registration Act is amended by repealing Section 50.

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

Floor Amendment Nos. 2 and 3 were referred to the Committee on Licensed Activities earlier today.

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

On motion of Senator Johnson, **Senate Bill No. 3964** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on State Government.

Floor Amendment No. 2 was referred to the Committee on State Government earlier today.

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

On motion of Senator Aquino, **Senate Bill No. 3975** having been printed, was taken up, read by title a second time.

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

Floor Amendment No. 2 was referred to the Committee on Executive earlier today.

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

On motion of Senator Castro, **Senate Bill No. 4040** having been printed, was taken up, read by title a second time.

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

Floor Amendment No. 1 was referred to the Committee on Executive earlier today.

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

On motion of Senator Cunningham, **Senate Bill No. 3438** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Cunningham, **Senate Bill No. 3445** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Licensed Activities earlier today.

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

On motion of Senator Cunningham, **Senate Bill No. 3449** having been printed, was taken up, read by title a second time.

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

Floor Amendment Nos. 2 and 3 were referred to the Committee on Executive earlier today.

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

On motion of Senator Preston, **Senate Bill No. 2737** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Anderson, **Senate Bill No. 2782** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Preston, **Senate Bill No. 2918** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2918

AMENDMENT NO. 1. Amend Senate Bill 2918 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-20.14 as follows:

(105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

Sec. 10-20.14. Student discipline policies; parent-teacher advisory committee.

(a) As used in this Section, "parent-teacher advisory committee" means a committee composed of representation by a school district, its parents, and its teachers.

To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on student discipline, including school searches and bullying prevention as set forth in Section 22-110 of this Code. Teachers must be selected for the parent-teacher advisory committee in cooperation with the school district's teachers or, if applicable, the exclusive bargaining representative of the district's teachers.

School authorities shall furnish a copy of the policy to the parents or guardian of each student within 15 days after the beginning of the school year, or within 15 days after starting classes for a student who transfers into the district during the school year, and the school board or governing body of a charter school shall require that a school inform its students of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their student discipline policies and the implementation of those policies, including, but not limited to, the impact of student behavior, specifically that which is considered gross disobedience or misconduct, on students and school personnel, and any other factors related to the safety of their schools, students, and school personnel.

(a-5) On or before September 15, 2016, each elementary and secondary school and charter school shall, at a minimum, adopt student discipline policies that fulfill the requirements set forth in this Section, subsections (a) and (b) of Section 10-22.6 of this Code, Section 34-19 of this Code if applicable, and federal and State laws that provide special requirements for the discipline of students with disabilities.

(b) The parent-teacher advisory committee in cooperation with local law enforcement agencies shall develop, with the school board, policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal and civil offenses committed by students, including attacks on school personnel in accordance with Section 10-21.7 of this Code. School districts are encouraged to create memoranda of understanding with local law enforcement agencies that clearly define law enforcement's role in schools, in accordance with Sections 2-3.206 and 10-22.6 of this Code. In consultation with stakeholders deemed appropriate by the State Board of Education, the State Board of Education shall draft and publish guidance for the development of reciprocal reporting systems in accordance with this Section on or before July 1, 2025.

(c) The parent-teacher advisory committee, in cooperation with school bus personnel, shall develop, with the school board, policy guideline procedures to establish and maintain school bus safety procedures. These procedures shall be incorporated into the district's student discipline policy. In consultation with stakeholders deemed appropriate by the State Board of Education, the State Board of Education shall draft and publish guidance for school bus safety procedures in accordance with this Section on or before July 1, 2025.

(d) As used in this subsection (d), "evidence-based intervention" means intervention that has demonstrated a statistically significant effect on improving student outcomes as documented in peer-reviewed scholarly journals.

The school board, in consultation with the parent-teacher advisory committee and other community-based organizations, must include provisions in the student discipline policy to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including, without limitation, bullying, as defined in the policy. These provisions must include procedures for notifying parents

or legal guardians and intervention procedures based upon available community-based and district resources.

In consultation with behavioral health experts, the State Board of Education shall draft and publish guidance for evidence-based intervention procedures, including examples, in accordance with this Section on or before July 1, 2025.

(Source: P.A. 103-896, eff. 8-9-24; 104-391, eff. 8-15-25; 104-430, eff. 8-20-25; revised 9-12-25.)".

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

On motion of Senator Anderson, **Senate Bill No. 3056** having been printed, was taken up, read by title a second time and ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 2921** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 52; NAY 1.

The following voted in the affirmative:

Anderson	Fine	Lightford	Tracy
Aquino	Fowler	Loughran Cappel	Turner, D.
Balkema	Glowiak Hilton	Martwick	Turner, S.
Castro	Guzmán	McClure	Ventura
Cervantes	Halpin	Morrison	Villa
Chesney	Harris, N.	Murphy	Villanueva
Collins	Harriss, E.	Plummer	Villivalam
Cunningham	Hastings	Preston	Walker
Curran	Hills	Rezin	Wilcox
DeWitte	Holmes	Rose	Mr. President
Edly-Allen	Hunter	Simmons	
Ellman	Johnson	Sims	
Faraci	Joyce	Stadelman	
Feigenholtz	Koehler	Syverson	

The following voted in the negative:

Arellano, L.

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Joyce, **Senate Bill No. 3019** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Ventura
Chesney	Harris, N.	Morrison	Villa
Collins	Harriss, E.	Murphy	Villanueva
Cunningham	Hastings	Plummer	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Johnson, **Senate Bill No. 3020** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Ventura
Chesney	Harris, N.	Morrison	Villa
Collins	Harriss, E.	Murphy	Villanueva
Cunningham	Hastings	Plummer	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Collins, **Senate Bill No. 3196** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Villa
Chesney	Harris, N.	Morrison	Villanueva
Collins	Harriss, E.	Murphy	Villivalam
Cunningham	Hastings	Plummer	Walker
Curran	Hills	Preston	Wilcox
DeWitte	Holmes	Rezin	Mr. President
Edly-Allen	Hunter	Rose	
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Cunningham, **Senate Bill No. 3272** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 41; NAYS 12.

The following voted in the affirmative:

Aquino	Glowiak Hilton	Lewis	Tracy
Cervantes	Guzmán	Lightford	Turner, D.
Collins	Halpin	Loughran Cappel	Ventura
Cunningham	Harris, N.	Martwick	Villa
Curran	Hastings	Morrison	Villanueva
DeWitte	Hills	Murphy	Villivalam
Edly-Allen	Holmes	Preston	Walker
Ellman	Hunter	Simmons	Mr. President
Faraci	Johnson	Sims	
Feigenholtz	Joyce	Stadelman	
Fine	Koehler	Syverson	

The following voted in the negative:

Anderson	Chesney	Plummer
Arellano, L.	Fowler	Rose
Balkema	Harriss, E.	Turner, S.
Bryant	McClure	Wilcox

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Cunningham, **Senate Bill No. 3291** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Ventura
Chesney	Harris, N.	Morrison	Villa
Collins	Harriss, E.	Murphy	Villanueva
Cunningham	Hastings	Plummer	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 3496** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Ventura
Chesney	Harris, N.	Morrison	Villa
Collins	Harriss, E.	Murphy	Villanueva
Cunningham	Hastings	Plummer	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Villivalam, **Senate Bill No. 3517** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Ventura
Chesney	Harris, N.	Morrison	Villa
Collins	Harriss, E.	Murphy	Villanueva
Cunningham	Hastings	Plummer	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Villivalam, **Senate Bill No. 3565** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 48; NAYS 7.

The following voted in the affirmative:

Aquino	Fowler	Lewis	Tracy
Bryant	Glowiak Hilton	Lightford	Turner, D.
Castro	Guzmán	Loughran Cappel	Turner, S.
Cervantes	Halpin	Martwick	Ventura
Collins	Harris, N.	McClure	Villa
Cunningham	Harriss, E.	Morrison	Villanueva
Curran	Hastings	Murphy	Villivalam
DeWitte	Hills	Preston	Walker
Edly-Allen	Holmes	Rezin	Mr. President
Ellman	Hunter	Simmons	
Faraci	Johnson	Sims	
Feigenholtz	Joyce	Stadelman	
Fine	Koehler	Syverson	

The following voted in the negative:

Anderson	Balkema	Plummer	Wilcox
Arellano, L.	Chesney	Rose	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted present on **Senate Bill No. 3565**.

On motion of Senator Villivalam, **Senate Bill No. 3608** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Fowler	Lightford	Tracy
Bryant	Glowiak Hilton	Loughran Cappel	Turner, D.
Castro	Guzmán	Martwick	Turner, S.
Cervantes	Halpin	McClure	Ventura
Chesney	Harris, N.	Morrison	Villa
Collins	Harriss, E.	Murphy	Villanueva
Cunningham	Hastings	Plummer	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Balkema, **Senate Bill No. 3620** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 52; NAYS 2.

The following voted in the affirmative:

Anderson	Fine	Lewis	Syverson
Aquino	Fowler	Lightford	Tracy
Balkema	Glowiak Hilton	Loughran Cappel	Turner, D.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Collins	Harriss, E.	Murphy	Villivalam
Cunningham	Hastings	Plummer	Walker
Curran	Hills	Preston	Wilcox
DeWitte	Holmes	Rezin	Mr. President
Edly-Allen	Hunter	Rose	
Ellman	Johnson	Simmons	
Faraci	Joyce	Sims	
Feigenholtz	Koehler	Stadelman	

The following voted in the negative:

Chesney
Turner, S.

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 3620**.

Senator Chesney asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3620**.

On motion of Senator E. Harriss, **Senate Bill No. 3951** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 54; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Koehler	Stadelman
Aquino	Feigenholtz	Lewis	Syverson
Arellano, L.	Fine	Lightford	Tracy
Balkema	Fowler	Loughran Cappel	Turner, D.
Bryant	Glowiak Hilton	Martwick	Turner, S.
Castro	Halpin	McClure	Ventura
Cervantes	Harris, N.	Morrison	Villa
Chesney	Harriss, E.	Murphy	Villanueva
Collins	Hastings	Plummer	Villivalam
Cunningham	Hills	Preston	Walker
Curran	Holmes	Rezin	Wilcox
DeWitte	Hunter	Rose	Mr. President
Edly-Allen	Johnson	Simmons	
Ellman	Joyce	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

At the hour of 3:04 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 6:58 o'clock p.m., the Senate resumed consideration of business.
Senator Holmes, presiding.

At the hour of 6:59 o'clock p.m., the Chair announced that the Senate stands at ease.

AT EASE

At the hour of 7:00 o'clock p.m., the Senate resumed consideration of business.
Senator Holmes, presiding.

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 719

Offered by Senator McClure and all Senators:
Mourns the death of Marcia Ann (Weber) Rosenthal.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

PRESENTATION OF CONGRATULATORY RESOLUTIONS

SENATE RESOLUTION NO. 720

Offered by Senator Harmon:
Congratulates American Airlines on its 100th anniversary and centennial celebration. Thanks the airline for its continued commitment to the State of Illinois.

SENATE RESOLUTION NO. 721

Offered by Senator Harmon:
Congratulates United Airlines on its 100th anniversary and expresses gratitude for its century of service.

SENATE RESOLUTION NO. 722

Offered by Senator Lewis:
Commends Philip H. Lewis and Maureen V. Lewis for their years of community service to the people of Kane County and the State of Illinois.

Under the Rules, the foregoing resolutions were referred to the Committee on Assignments.

REPORTS FROM STANDING COMMITTEES

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

Senate Amendment No. 2 to Senate Bill 3048
Senate Amendment No. 2 to Senate Bill 3333
Senate Amendment No. 2 to Senate Bill 3597
Senate Amendment No. 1 to Senate Bill 3880

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

Senator Loughran Cappel, Chair of the Committee on Education, to which was referred **Senate Bill No. 3669**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to Senate Bill 939
 Senate Amendment No. 2 to Senate Bill 2837
 Senate Amendment No. 1 to Senate Bill 2914

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

Senator Simmons, Chair of the Committee on Public Health, to which was referred **Senate Bill No. 3487**, 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 Simmons, Chair of the Committee on Public Health, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 2774
 Senate Amendment No. 1 to Senate Bill 3936

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

Senator Simmons, Chair of the Committee on Public Health, to which was referred **Senate Resolutions Numbered 638, 649 and 667**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions Numbered 638, 649 and 667** were placed on the Secretary's Desk.

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

Senate Amendment No. 1 to Senate Bill 3322
 Senate Amendment No. 2 to Senate Bill 3766

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

Senator Villa, Chair of the Committee on Health and Human Services, to which was referred **Senate Joint Resolution No. 57**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 57** was placed on the Secretary's Desk.

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **Senate Bill No. 3285**, reported the same back with the recommendation that the bill do pass.

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

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **Senate Bills Numbered 2524, 2858, 3336 and 3484**, 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 Villivalam, Chair of the Committee on Transportation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 3290

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

Senator Morrison, Chair of the Committee on Insurance, to which was referred **Senate Bills Numbered 2899 and 4006**, 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 Morrison, Chair of the Committee on Insurance, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 3114
 Senate Amendment No. 1 to Senate Bill 3295
 Senate Amendment No. 1 to Senate Bill 3508
 Senate Amendment No. 2 to Senate Bill 3509
 Senate Amendment No. 1 to Senate Bill 3815

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

Senator Faraci, Vice-Chair of the Committee on Labor, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 2828
 Senate Amendment No. 1 to Senate Bill 3465

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

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Higher Education: **Floor Amendment No. 1 to Senate Bill 3467**.

Senator Lightford, Chair of the Committee on Assignments, during its April 14, 2026 meeting, to which was referred **Senate Bill No. 454** on April 11, 2025, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 454** was returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolution No. 713

The foregoing resolution was placed on the Senate Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its April 14, 2026 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 720 and 721

The foregoing resolutions were placed on the Congratulatory Consent Calendar.

SENATE BILLS RECALLED

On motion of Senator Lewis, **Senate Bill No. 2806** was recalled from the order of third reading to the order of second reading.

Senator Lewis offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2806

AMENDMENT NO. 2. Amend Senate Bill 2806, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 is amended by changing Section 50-10 as follows:

(225 ILCS 447/50-10)

(Section scheduled to be repealed on January 1, 2029)

Sec. 50-10. The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board.

(a) The Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board shall consist of ~~11~~ ~~13~~ members appointed by the Secretary and comprised of 2 licensed private detectives, 3 licensed private security contractors, ~~one licensed private detective or licensed private security contractor who provides canine odor detection services~~, 2 licensed private alarm contractors, one licensed fingerprint vendor, ~~one~~ ~~2~~ licensed ~~locksmith locksmiths~~, one public member who is not licensed or registered under this Act and who has no connection with a business licensed under this Act, and one member representing the employees registered under this Act. Each member shall be a resident of Illinois. Each licensed member shall have at least 3 years' ~~5 years'~~ experience as a licensee in the professional area in which the person is licensed and be in good standing and actively engaged in that profession. In making appointments, the Secretary shall consider the recommendations of the professionals and the professional organizations representing the licensees. The membership shall reasonably reflect the different geographic areas in Illinois.

(b) Members shall serve 4-year terms and may serve until their successors are appointed. No member shall serve for more than 2 successive terms. Appointments to fill vacancies shall be made in the same manner as the original appointments for the unexpired portion of the vacated term.

(c) A member of the Board may be removed for cause. A member subject to formal disciplinary proceedings shall disqualify oneself from all Board business until the charge is resolved. A member also shall disqualify oneself from any matter on which the member cannot act objectively.

(d) Members shall receive compensation as set by law. Each member shall receive reimbursement as set by the Governor's Travel Control Board for expenses incurred in carrying out the duties as a Board member.

(e) A majority of appointed Board members constitutes a quorum. A majority vote of the quorum is required for a decision.

(f) The Board shall elect a chairperson and vice chairperson annually.

(g) Board members are not liable for their acts, omissions, decisions, or other conduct in connection with their duties on the Board, except those determined to be willful, wanton, or intentional misconduct.

(h) The Board may recommend policies, procedures, and rules relevant to the administration and enforcement of this Act.

(Source: P.A. 103-309, eff. 1-1-24)."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator DeWitte, **Senate Bill No. 3016** was recalled from the order of third reading to the order of second reading.

Senator DeWitte offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3016

AMENDMENT NO. 1. Amend Senate Bill 3016 by replacing everything after the enacting clause with the following:

"Section 5. The Open Space Lands Acquisition and Development Act is amended by adding Section 5.5 as follows:

(525 ILCS 35/5.5 new)

Sec. 5.5. Accessibility; universal design elements. The Department shall prioritize projects that incorporate universal design elements. The Department shall adopt rules to establish the priorities and scoring matrix under this Section within its grant application review process under this Act. In this Section, "universal design elements" includes, but is not limited to, the following elements:

(1) poured-in-place rubber surfacing or synthetic turf for enhanced mobility and continuously accessible surfacing routes;

(2) multiple access points and routes suitable for wheelchairs, including additional ramps for seamless entry to play equipment;

(3) a variety of ground-level and elevated play components accessible to individuals with diverse physical abilities;

(4) inclusive swings and seating;

(5) a variety of single and multi-sensory play elements, such as tactile panels and musical features;

(6) shaded areas to accommodate individuals with sensory sensitivities; and

(7) any other construction, material, design, product, or technology as set out in administrative rule."

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Balkema, **Senate Bill No. 3936** was recalled from the order of third reading to the order of second reading.

Senator Balkema offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3936

AMENDMENT NO. 1. Amend Senate Bill 3936 on page 1, by replacing lines 10 through 14 with the following:

"Acute Stroke-Ready Hospital" means a hospital that has been designated by the Department as meeting the criteria for providing emergent stroke care. Designation may be provided after a hospital has been certified or through application and designation as such."; and

on page 12, lines 23 through 26, by replacing "~~Designation may be approved by the Department after a hospital has been certified as an Acute Stroke Ready Hospital or through application and designation by the Department.~~" with "Designation may be approved by the Department after a hospital has been certified as an Acute Stroke-Ready Hospital or through application and designation by the Department."; and

on page 13, by replacing lines 11 through 17 with the following:

"~~(2)~~ Hospitals may apply for, and receive, Acute Stroke-Ready Hospital designation from the Department, provided that the hospital attests, on a form developed by the Department in consultation with

the State Stroke Advisory Subcommittee, that it meets, and will continue to meet, the criteria for Acute Stroke-Ready Hospital designation and pays an annual fee."; and

on page 30, line 17, after the period, by inserting "The Department shall give due consideration to any recommendations submitted by the members of the State Stroke Advisory Subcommittee and shall notify the Subcommittee in writing of any recommendations that are not taken. The Department shall retain such notices in accordance with the Department's policies.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Lightford, **Senate Bill No. 2524** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2524

AMENDMENT NO. 1 . Amend Senate Bill 2524 by replacing line 26 on page 8 through line 2 on page 9 with "application, a form prescribed by the Secretary of State that is completed and signed by a competent medical specialist confirming that the applicant has an intellectual disability or autism spectrum disorder and that the applicant is mentally fit to operate a motor vehicle."; and

on page 21, immediately below line 7, by inserting the following:

"Section 99. Effective date. This Act takes effect July 1, 2027."

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

On motion of Senator Villivalam, **Senate Bill No. 3285** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 3336** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Transportation.

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

AMENDMENT NO. 2 TO SENATE BILL 3336

AMENDMENT NO. 2 . Amend Senate Bill 3336 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 1-117.7, 1-140.10, 1-140.11, 1-140.15, 1-145.001, 1-146, 1-158, 3-101, 3-102, 3-402, 6-102, 7-601, 11-208, 11-501, 11-1516, and 11-1517 and by adding Sections 1-106.1, 1-106.2, 1-117.6, 1-117.8, 1-117.9, 1-117.10, 1-125.11, 1-205.5, 1-213.7, 11-317, 11-1008.5, 11-1403.4, and 11-1435 as follows:

(625 ILCS 5/1-106.1 new)

Sec. 1-106.1. Bicycle lane. A restricted right-of-way that runs alongside a roadway and is designated for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.

(625 ILCS 5/1-106.2 new)

Sec. 1-106.2. Bicycle path. A right-of-way that is completely separate from a highway that is designated for the exclusive use of bicycles and pedestrians with crossflows by motorists minimized.

(625 ILCS 5/1-117.6 new)

Sec. 1-117.6. Electric micromobility device. A light-weight, low-speed, electric-powered device primarily used for personal transportation and operated at speeds up to 28 miles per hour. "Electric micromobility device" includes electric skateboards, electric unicycles, low-speed electric scooters, and high-speed electric scooters. For purposes of this Code, an electric micromobility device shall be considered a motor vehicle. "Electric micromobility device" does not include an electric personal assistive mobility device or a toy vehicle.

(625 ILCS 5/1-117.7)

Sec. 1-117.7. Electric personal assistive mobility device. A self-balancing 2 non-tandem wheeled device designed to transport only one person with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less, including, but not limited to, products marketed under the brand names of "Segway" or "Hoverboard" and other similar self-balancing 2 non-tandem wheeled products. "Electric personal assistive mobility device" does not include an electric micromobility device.

(Source: P.A. 92-868, eff. 6-1-03.)

(625 ILCS 5/1-117.8 new)

Sec. 1-117.8. Electric unicycle. A self-balancing one-wheeled device designed to transport only one person with an electric propulsion system. Except as may otherwise be provided in this Code and to the extent practicable, the provisions of Article XV of Chapter 11 that apply to bicycles shall also apply to electric unicycles.

(625 ILCS 5/1-117.9 new)

Sec. 1-117.9. Electric skateboard. A skateboard powered by an electric motor.

(625 ILCS 5/1-117.10 new)

Sec. 1-117.10. Electric bicycle. A bicycle with operable pedals and an electric motor.

(625 ILCS 5/1-125.11 new)

Sec. 1-125.11. High-speed electric scooter. A device with 2 or 3 wheels, handlebars, and a floorboard that can be stood upon while riding, that is solely powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is more than 15 miles per hour. "High-speed electric scooter" does not include a moped or motor driven cycle.

(625 ILCS 5/1-140.10)

Sec. 1-140.10. Low-speed electric bicycle. A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classes:

(a) "Class 1 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.

(b) "Class 2 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour.

(c) "Class 3 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

A "low-speed electric bicycle" is not a moped or a motor driven cycle. Any electric bicycle that is not a low-speed electric bicycle shall be considered a motor driven cycle for purposes of this Code.

(Source: P.A. 100-209, eff. 1-1-18.)

(625 ILCS 5/1-140.11)

Sec. 1-140.11. Low-speed electric scooter. A device weighing less than 100 pounds, with 2 or 3 wheels, handlebars, and a floorboard that can be stood upon while riding, that is solely powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is no more than 15 ~~40~~ miles per hour. "Low-speed electric scooter" does not include a moped or motor-driven cycle.

(Source: P.A. 103-899, eff. 8-9-24.)

(625 ILCS 5/1-140.15)

Sec. 1-140.15. Low-speed gas bicycle. A 2-wheeled or 3-wheeled device with fully operable pedals and a gasoline motor of less than one horsepower or 15 cubic centimeter displacement that is operated at speeds of less than 28 ~~20~~ miles per hour. Any gas-powered bicycle that is not a low-speed gas bicycle shall be considered a motor driven cycle for purposes of this Code.

(Source: P.A. 103-706, eff. 1-1-25.)

(625 ILCS 5/1-145.001) (from Ch. 95 1/2, par. 1-148)

Sec. 1-145.001. Motor driven cycle. Every motorcycle, moped, and every motor scooter with an internal combustion engine of less than 150 cubic centimeter piston displacement, or an electric motor with a nominal power rating of greater than 750 watts but less than or equal to 8,000 watts, including motorized pedalcycles and every electric bicycle or gas-powered bicycle that is not a low-speed electric bicycle or low-speed gas bicycle.

(Source: P.A. 90-89, eff. 1-1-98.)

(625 ILCS 5/1-146) (from Ch. 95 1/2, par. 1-146)

Sec. 1-146. Motor vehicle. Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power, motorized wheelchairs, low-speed electric bicycles, and low-speed gas bicycles. For this Code ~~Act~~, motor vehicles are divided into two divisions:

First Division: Those motor vehicles which are designed for the carrying of not more than 10 persons.

Second Division: Those motor vehicles which are designed for carrying more than 10 persons, those motor vehicles designed or used for living quarters, those motor vehicles which are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the First Division remodelled for use and used as motor vehicles of the Second Division.

(Source: P.A. 96-125, eff. 1-1-10.)

(625 ILCS 5/1-158) (from Ch. 95 1/2, par. 1-158)

Sec. 1-158. Pedestrian. Any person afoot or wearing in-line speed skates or riding a non-motorized skateboard or operating a toy vehicle, including a person with a physical, hearing, or visual disability.

(Source: P.A. 103-706, eff. 1-1-25.)

(625 ILCS 5/1-205.5 new)

Sec. 1-205.5. Toy vehicle. Any battery powered ride-on toy that (i) is designed to not exceed 10 miles per hour, (ii) includes any number of wheels or handlebars or a steering wheel, and a seat or platform, and (iii) is designed for children under 8 years of age, including, but not limited to, products marketed under the brand names of "Razor" or "Power Wheels" and other similar products.

(625 ILCS 5/1-213.7 new)

Sec. 1-213.7. Unicycle. Every human-powered device with one wheel and operable pedals and a designated seat for the transportation of one person. Except as may otherwise be provided in this Code and to the extent practicable, the provisions of Article XV of Chapter 11 that apply to bicycles shall also apply to unicycles.

(625 ILCS 5/3-101) (from Ch. 95 1/2, par. 3-101)

Sec. 3-101. Certificate of title required.

(a) Except as provided in Section 3-102, every owner of a vehicle which is in this State and for which no Illinois certificate of title has been issued by the Secretary of State shall make application to the Secretary of State for an Illinois certificate of title of the vehicle. Except as provided in Section 3-102, every owner of a vehicle, excluding vehicles acquired by insurance companies through a settlement of an insurance claim or by lienholders taking title through repossession, that is in this State for which no Illinois certificate of title has been issued by the Secretary of State and every owner of a vehicle that is in the State applying for a duplicate certificate of title or a corrected certificate of title, including a dealer lien release certificate of title, must make application to the Secretary of State for an Illinois duplicate certificate of title or corrected certificate of title. A certificate of title issued to any owner of a vehicle, excluding vehicles acquired by insurance companies through a settlement of an insurance claim or by lienholders taking title through repossession, in this State showing an Illinois address for the owner that has been issued by an entity other than the Secretary of State must be converted to an Illinois title before the owner can transfer ownership of the vehicle.

Under no circumstances shall a dealer required to obtain an Illinois certificate of title pursuant to this Code be allowed to obtain an out-of-state certificate of title for purposes of a vehicle held for sale in this State by the dealer. Under no circumstances shall a dealer be allowed to obtain an out-of-state certificate of title in lieu of an Illinois-issued dealer lien release certificate of title when a dealer may have need of such title issuance. Nothing in this Section shall be construed so as to allow a dealer to acquire an out-of-state certificate of title in lieu of acquiring an Illinois certificate of title for purposes of a vehicle held for sale in this State by the dealer.

(b) Every owner of a motorcycle or motor driven cycle purchased new on and after January 1, 1980 shall make application to the Secretary of State for a certificate of title. However, if such cycle is not properly manufactured or equipped for general highway use pursuant to the provisions of this Act, it shall not be eligible for license registration, but shall be issued a distinctive certificate of title except as provided in Sections 3-102 and 3-110 of this Act.

(b-5) Every owner of (i) a motor driven cycle that is powered by an electric motor with a nominal power rating of greater than 750 watts but less than or equal to 8,000 watts or (ii) a gas-powered bicycle capable of operating at speeds greater than 28 miles per hour, purchased new on and after January 1, 2027, shall make application to the Secretary of State for a certificate of title, as long as such motor driven cycle or gas-powered bicycle has a vehicle identification number with which it is associated before a certificate of title may be issued. However, if such motor driven cycle or gas-powered bicycle is not properly manufactured or equipped for general highway use under this Code, it shall not be eligible for registration, but shall be issued a distinctive certificate of title except as provided in Sections 3-102 and 3-110.

(c) The Secretary of State shall not register or renew the registration of a vehicle unless a certificate of title has been issued by the Secretary of State to the owner or an application therefor has been delivered by the owner to the Secretary of State.

(d) Every owner of an all-terrain vehicle or off-highway motorcycle purchased on or after January 1, 1998 shall make application to the Secretary of State for a certificate of title.

(e) Every owner of a low-speed vehicle manufactured after January 1, 2010 shall make application to the Secretary of State for a certificate of title.

(Source: P.A. 103-891, eff. 8-9-24.)

(625 ILCS 5/3-102) (from Ch. 95 1/2, par. 3-102)

Sec. 3-102. Exclusions. No certificate of title need be obtained for:

1. a vehicle owned by the State of Illinois; or a vehicle owned by the United States unless it is registered in this State;
2. a vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, provided a dealer reassignment area is still available on the manufacturer's certificate of origin or the Illinois title; or a vehicle used by a manufacturer solely for testing;
3. a vehicle owned by a non-resident of this State and not required by law to be registered in this State;
4. a motor vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another State;
5. a vehicle moved solely by animal power;
6. an implement of husbandry;
7. special mobile equipment;
8. an apportionable trailer or an apportionable semitrailer registered in the State prior to April 1, 1998;
9. a manufactured home for which an affidavit of affixation has been recorded pursuant to the Conveyance and Encumbrance of Manufactured Homes as Real Property and Severance Act unless with respect to the same manufactured home there has been recorded an affidavit of severance pursuant to that Act;
10. ~~(blank); low speed electric scooters.~~
11. electric micromobility devices.

(Source: P.A. 103-899, eff. 8-9-24.)

(625 ILCS 5/3-402) (from Ch. 95 1/2, par. 3-402)

Sec. 3-402. Vehicles subject to registration; exceptions.

A. Exemptions and Policy. Every motor vehicle, trailer, semitrailer and pole trailer when driven or moved upon a highway shall be subject to the registration and certificate of title provisions of this Chapter except:

(1) Any such vehicle driven or moved upon a highway in conformance with the provisions of this Chapter relating to manufacturers, transporters, dealers, lienholders or nonresidents or under a temporary registration permit issued by the Secretary of State;

(2) Any implement of husbandry whether of a type otherwise subject to registration hereunder or not which is only incidentally operated or moved upon a highway, which shall include a

not-for-hire movement for the purpose of delivering farm commodities to a place of first processing or sale, or to a place of storage;

(3) Any special mobile equipment as herein defined;

(4) Any vehicle which is propelled exclusively by electric power obtained from overhead trolley wires though not operated upon rails;

(5) Any vehicle which is equipped and used exclusively as a pumper, ladder truck, rescue vehicle, searchlight truck, or other fire apparatus, but not a vehicle of a type which would otherwise be subject to registration as a vehicle of the first division;

(6) Any vehicle which is owned and operated by the federal government and externally displays evidence of federal ownership. It is the policy of the State of Illinois to promote and encourage the fullest use of its highways and to enhance the flow of commerce thus contributing to the economic, agricultural, industrial and social growth and development of this State, by authorizing the Secretary of State to negotiate and enter into reciprocal or proportional agreements or arrangements with other States, or to issue declarations setting forth reciprocal exemptions, benefits and privileges with respect to vehicles operated interstate which are properly registered in this and other States, assuring nevertheless proper registration of vehicles in Illinois as may be required by this Code;

(7) Any converter dolly or tow dolly which merely serves as substitute wheels for another legally licensed vehicle. A title may be issued on a voluntary basis to a tow dolly upon receipt of the manufacturer's certificate of origin or the bill of sale;

(8) Any house trailer found to be an abandoned mobile home under the Abandoned Mobile Home Act;

(9) Any vehicle that is not properly registered or does not have registration plates or digital registration plates issued to the owner or operator affixed thereto, or that does have registration plates or digital registration plates issued to the owner or operator affixed thereto but the plates are not appropriate for the weight of the vehicle, provided that this exemption shall apply only while the vehicle is being transported or operated by a towing service and has a third tow plate affixed to it;

(10) ~~(blank); Low-speed electric scooters.~~

(11) electric micromobility devices.

B. Reciprocity. Any motor vehicle, trailer, semitrailer or pole trailer need not be registered under this Code provided the same is operated interstate and in accordance with the following provisions and any rules and regulations promulgated pursuant thereto:

(1) A nonresident owner, except as otherwise provided in this Section, owning any foreign registered vehicle of a type otherwise subject to registration hereunder, may operate or permit the operation of such vehicle within this State in interstate commerce without registering such vehicle in, or paying any fees to, this State subject to the condition that such vehicle at all times when operated in this State is operated pursuant to a reciprocity agreement, arrangement or declaration by this State, and further subject to the condition that such vehicle at all times when operated in this State is duly registered in, and displays upon it, a valid registration card and registration plate or plates or digital registration plate or plates issued for such vehicle in the place of residence of such owner and is issued and maintains in such vehicle a valid Illinois reciprocity permit as required by the Secretary of State, and provided like privileges are afforded to residents of this State by the State of residence of such owner.

Every nonresident including any foreign corporation carrying on business within this State and owning and regularly operating in such business any motor vehicle, trailer or semitrailer within this State in intrastate commerce, shall be required to register each such vehicle and pay the same fees therefor as is required with reference to like vehicles owned by residents of this State.

(2) Any motor vehicle, trailer, semitrailer and pole trailer operated interstate need not be registered in this State, provided:

(a) that the vehicle is properly registered in another State pursuant to law or to a reciprocity agreement, arrangement or declaration; or

(b) that such vehicle is part of a fleet of vehicles owned or operated by the same person who registers such fleet of vehicles pro rata among the various States in which such fleet operates; or

(c) that such vehicle is part of a fleet of vehicles, a portion of which are registered with the Secretary of State of Illinois in accordance with an agreement or arrangement concurred in by the Secretary of State of Illinois based on one or more of the following factors: ratio of miles

in Illinois as against total miles in all jurisdictions; situs or base of a vehicle, or where it is principally garaged, or from whence it is principally dispatched or where the movements of such vehicle usually originate; situs of the residence of the owner or operator thereof, or of his principal office or offices, or of his places of business; the routes traversed and whether regular or irregular routes are traversed, and the jurisdictions traversed and served; and such other factors as may be deemed material by the Secretary and the motor vehicle administrators of the other jurisdictions involved in such apportionment. Such vehicles shall maintain therein any reciprocity permit which may be required by the Secretary of State pursuant to rules and regulations which the Secretary of State may promulgate in the administration of this Code, in the public interest.

(3)(a) In order to effectuate the purposes of this Code, the Secretary of State of Illinois is empowered to negotiate and execute written reciprocal agreements or arrangements with the duly authorized representatives of other jurisdictions, including States, districts, territories and possessions of the United States, and foreign states, provinces, or countries, granting to owners or operators of vehicles duly registered or licensed in such other jurisdictions and for which evidence of compliance is supplied, benefits, privileges and exemption from the payment, wholly or partially, of any taxes, fees or other charges imposed with respect to the ownership or operation of such vehicles by the laws of this State except the tax imposed by the Motor Fuel Tax Law, approved March 25, 1929, as amended, and the tax imposed by the Use Tax Act, approved July 14, 1955, as amended.

The Secretary of State may negotiate agreements or arrangements as are in the best interests of this State and the residents of this State pursuant to the policies expressed in this Section taking into consideration the reciprocal exemptions, benefits and privileges available and accruing to residents of this State and vehicles registered in this State.

(b) Such reciprocal agreements or arrangements shall provide that vehicles duly registered or licensed in this State when operated upon the highways of such other jurisdictions, shall receive exemptions, benefits and privileges of a similar kind or to a similar degree as extended to vehicles from such jurisdictions in this State.

(c) Such agreements or arrangements may also authorize the apportionment of registration or licensing of fleets of vehicles operated interstate, based on any or all of the following factors: ratio of miles in Illinois as against total miles in all jurisdictions; situs or base of a vehicle, or where it is principally garaged or from whence it is principally dispatched or where the movements of such vehicle usually originate; situs of the residence of the owner or operator thereof, or of his principal office or offices, or of his places of business; the routes traversed and whether regular or irregular routes are traversed, and the jurisdictions traversed and served; and such other factors as may be deemed material by the Secretary and the motor vehicle administrators of the other jurisdictions involved in such apportionment, and such vehicles shall likewise be entitled to reciprocal exemptions, benefits and privileges.

(d) Such agreements or arrangements shall also provide that vehicles being operated in intrastate commerce in Illinois shall comply with the registration and licensing laws of this State, except that vehicles which are part of an apportioned fleet may conduct an intrastate operation incidental to their interstate operations. Any motor vehicle properly registered and qualified under any reciprocal agreement or arrangement under this Code and not having a situs or base within Illinois may complete the inbound movement of a trailer or semitrailer to an Illinois destination that was brought into Illinois by a motor vehicle also properly registered and qualified under this Code and not having a situs or base within Illinois, or may complete an outbound movement of a trailer or semitrailer to an out-of-state destination that was originated in Illinois by a motor vehicle also properly registered and qualified under this Code and not having a situs or base in Illinois, only if the operator thereof did not break bulk of the cargo laden in such inbound or outbound trailer or semitrailer. Adding or unloading intrastate cargo on such inbound or outbound trailer or semitrailer shall be deemed as breaking bulk.

(e) Such agreements or arrangements may also provide for the determination of the proper State in which leased vehicles shall be registered based on the factors set out in subsection (c) above and for apportionment of registration of fleets of leased vehicles by the lessee or by the lessor who leases such vehicles to persons who are not fleet operators.

(f) Such agreements or arrangements may also include reciprocal exemptions, benefits or privileges accruing under The Illinois Driver Licensing Law or The Driver License Compact.

(4) The Secretary of State is further authorized to examine the laws and requirements of other jurisdictions, and, in the absence of a written agreement or arrangement, to issue a written declaration of the extent and nature of the exemptions, benefits and privileges accorded to vehicles of this State by such other jurisdictions, and the extent and nature of reciprocal exemptions, benefits and privileges thereby accorded by this State to the vehicles of such other jurisdictions. A declaration by the Secretary of State may include any, part or all reciprocal exemptions, benefits and privileges or provisions as may be included within an agreement or arrangement.

(5) All agreements, arrangements, declarations and amendments thereto, shall be in writing and become effective when signed by the Secretary of State, and copies of all such documents shall be available to the public upon request.

(6) The Secretary of State is further authorized to require the display by foreign registered trucks, truck-tractors and buses, entitled to reciprocal benefits, exemptions or privileges hereunder, a reciprocity permit for external display before any such reciprocal benefits, exemptions or privileges are granted. The Secretary of State shall provide suitable application forms for such permit and shall promulgate and publish reasonable rules and regulations for the administration and enforcement of the provisions of this Code including a provision for revocation of such permit as to any vehicle operated wilfully in violation of the terms of any reciprocal agreement, arrangement or declaration or in violation of the Illinois Motor Carrier of Property Law, as amended.

(7)(a) Upon the suspension, revocation or denial of one or more of all reciprocal benefits, privileges and exemptions existing pursuant to the terms and provisions of this Code or by virtue of a reciprocal agreement or arrangement or declaration thereunder; or, upon the suspension, revocation or denial of a reciprocity permit; or, upon any action or inaction of the Secretary in the administration and enforcement of the provisions of this Code, any person, resident or nonresident, so aggrieved, may serve upon the Secretary, a petition in writing and under oath, setting forth the grievance of the petitioner, the grounds and basis for the relief sought, and all necessary facts and particulars, and request an administrative hearing thereon. Within 20 days, the Secretary shall set a hearing date as early as practical. The Secretary may, in his discretion, supply forms for such a petition. The Secretary may require the payment of a fee of not more than \$50 for the filing of any petition, motion, or request for hearing conducted pursuant to this Section. These fees must be deposited into the Secretary of State DUI Administration Fund, a special fund that is hereby created in the State treasury, and, subject to appropriation and as directed by the Secretary of State, shall be used to fund the operation of the hearings department of the Office of the Secretary of State and for no other purpose. The Secretary shall establish by rule the amount and the procedures, terms, and conditions relating to these fees.

(b) The Secretary may likewise, in his discretion and upon his own petition, order a hearing, when in his best judgment, any person is not entitled to the reciprocal benefits, privileges and exemptions existing pursuant to the terms and provisions of this Code or under a reciprocal agreement or arrangement or declaration thereunder or that a vehicle owned or operated by such person is improperly registered or licensed, or that an Illinois resident has improperly registered or licensed a vehicle in another jurisdiction for the purposes of violating or avoiding the registration laws of this State.

(c) The Secretary shall notify a petitioner or any other person involved of such a hearing, by giving at least 10 days notice, in writing, by U.S. Mail, Registered or Certified, or by personal service, at the last known address of such petitioner or person, specifying the time and place of such hearing. Such hearing shall be held before the Secretary, or any person as he may designate, and unless the parties mutually agree to some other county in Illinois, the hearing shall be held in the County of Sangamon or the County of Cook. Appropriate records of the hearing shall be kept, and the Secretary shall issue or cause to be issued, his decision on the case, within 30 days after the close of such hearing or within 30 days after receipt of the transcript thereof, and a copy shall likewise be served or mailed to the petitioner or person involved.

(d) The actions or inactions or determinations, or findings and decisions upon an administrative hearing, of the Secretary, shall be subject to judicial review in the Circuit Court of the County of Sangamon or the County of Cook, and the provisions of the Administrative Review Law, and all amendments and modifications thereof and rules adopted pursuant thereto, apply to and govern all such reviewable matters.

Any reciprocal agreements or arrangements entered into by the Secretary of State or any declarations issued by the Secretary of State pursuant to any law in effect prior to the effective date of this Code are not hereby abrogated, and such shall continue in force and effect until amended pursuant to the provisions of this Code or expire pursuant to the terms or provisions thereof.

C. Vehicles purchased out-of-state. A resident of this State who purchases a vehicle in another state and transports the vehicle to Illinois shall apply for registration and certificate of title as soon as practicable, but in no event more than 45 days after the purchase of the vehicle. If an Illinois motorist who purchased a vehicle from an out-of-state licensed dealer is unable to meet the 45-day deadline due to a delay in paperwork from the seller, that motorist may obtain an Illinois temporary registration plate with: (i) proof of purchase; (ii) proof of meeting the Illinois driver's license or identification card requirement; and (iii) proof that Illinois title and registration fees have been paid. If fees have not been paid, the motorist may pay the fees in order to obtain the temporary registration plate. The owner of such a vehicle shall display any temporary permit or registration issued in accordance with Section 3-407.

(Source: P.A. 103-209, eff. 1-1-24; 103-899, eff. 8-9-24; 104-417, eff. 8-15-25.)

(625 ILCS 5/6-102) (from Ch. 95 1/2, par. 6-102)

Sec. 6-102. What persons are exempt. The following persons are exempt from the requirements of Section 6-101 and are not required to have an Illinois drivers license or permit if one or more of the following qualifying exemptions are met and apply:

1. Any employee of the United States Government or any member of the Armed Forces of the United States, while operating a motor vehicle owned by or leased to the United States Government and being operated on official business need not be licensed;

2. A nonresident who has in his immediate possession a valid license issued to him in his home state or country may operate a motor vehicle for which he is licensed for the period during which he is in this State;

3. A nonresident and his spouse and children living with him who is a student at a college or university in Illinois who have a valid license issued by their home State.

4. A person operating a road machine temporarily upon a highway or operating a farm tractor between the home farm buildings and any adjacent or nearby farm land for the exclusive purpose of conducting farm operations need not be licensed as a driver.

5. A resident of this State who has been serving as a member or as a civilian employee of the Armed Forces of the United States, or as a civilian employee of the United States Department of Defense, outside the Continental limits of the United States, for a period of 120 days following his return to the continental limits of the United States.

6. A nonresident on active duty in the Armed Forces of the United States who has a valid license issued by his home state and such nonresident's spouse, and dependent children and living with parents, who have a valid license issued by their home state.

7. A nonresident who becomes a resident of this State, may for a period of the first 90 days of residence in Illinois operate any motor vehicle which he was qualified or licensed to drive by his home state or country so long as he has in his possession, a valid and current license issued to him by his home state or country. Upon expiration of such 90 day period, such new resident must comply with the provisions of this Act and apply for an Illinois license or permit.

8. An engineer, conductor, brakeman, or any other member of the crew of a locomotive or train being operated upon rails, including operation on a railroad crossing over a public street, road or highway. Such person is not required to display a driver's license to any law enforcement officer in connection with the operation of a locomotive or train within this State.

9. (Blank). ~~Persons operating low speed electric scooters in accordance with Section 11-1518.~~

10. ~~Persons operating an electric micromobility device.~~

The provisions of this Section granting exemption to any nonresident shall be operative to the same extent that the laws of the State or country of such nonresident grant like exemption to residents of this State.

The Secretary of State may implement the exemption provisions of this Section by inclusion thereof in a reciprocity agreement, arrangement or declaration issued pursuant to this Act.

(Source: P.A. 103-899, eff. 8-9-24.)

(625 ILCS 5/7-601) (from Ch. 95 1/2, par. 7-601)

Sec. 7-601. Required liability insurance policy.

(a) No person shall operate, register or maintain registration of, and no owner shall permit another person to operate, register or maintain registration of, a motor vehicle designed to be used on a public highway in this State unless the motor vehicle is covered by a liability insurance policy.

The insurance policy shall be issued in amounts no less than the minimum amounts set for bodily injury or death and for destruction of property under Section 7-203 of this Code, and shall be issued in accordance with the requirements of Sections 143a and 143a-2 of the Illinois Insurance Code, as amended. No insurer other than an insurer authorized to do business in this State shall issue a policy pursuant to this Section for any vehicle subject to registration under this Code. Nothing herein shall deprive an insurer of any policy defense available at common law.

(b) The following vehicles are exempt from the requirements of this Section:

(1) vehicles subject to the provisions of Chapters 8 or 18a, Article III or Section 7-609 of Chapter 7, or Sections 12-606 or 12-707.01 of Chapter 12 of this Code;

(2) vehicles required to file proof of liability insurance with the Illinois Commerce Commission;

(3) vehicles covered by a certificate of self-insurance under Section 7-502 of this Code;

(4) vehicles owned by the United States, the State of Illinois, or any political subdivision, municipality or local mass transit district;

(5) implements of husbandry;

(6) other vehicles complying with laws which require them to be insured in amounts meeting or exceeding the minimum amounts required under this Section; ~~and~~

(7) inoperable or stored vehicles that are not operated, as defined by rules and regulations of the Secretary; and -

(8) electric micromobility devices.

(c) Every employee of a State agency, as that term is defined in the Illinois State Auditing Act, who is assigned a specific vehicle owned or leased by the State on an ongoing basis shall provide the certification described in this Section annually to the director or chief executive officer of his or her agency.

The certification shall affirm that the employee is duly licensed to drive the assigned vehicle and that (i) the employee has liability insurance coverage extending to the employee when the assigned vehicle is used for other than official State business, or (ii) the employee has filed a bond with the Secretary of State as proof of financial responsibility, in an amount equal to, or in excess of the requirements stated within this Section. Upon request of the agency director or chief executive officer, the employee shall present evidence to support the certification.

The certification shall be provided during the period July 1 through July 31 of each calendar year, or within 30 days of any new assignment of a vehicle on an ongoing basis, whichever is later.

The employee's authorization to use the assigned vehicle shall automatically be rescinded upon:

(1) the revocation or suspension of the license required to drive the assigned vehicle;

(2) the cancellation or termination for any reason of the automobile liability insurance coverage as required in item (c)(i); or

(3) the termination of the bond filed with the Secretary of State.

All State employees providing the required certification shall immediately notify the agency director or chief executive officer in the event any of these actions occur.

All peace officers employed by a State agency who are primarily responsible for prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this State, and prohibited by agency rule or policy to use an assigned vehicle owned or leased by the State for regular personal or off-duty use, are exempt from the requirements of this Section.

(d) No person shall operate a motor vehicle registered in another state upon the highways of this State unless the vehicle is covered by a liability insurance policy. The operator of the vehicle shall carry within the vehicle evidence of the insurance.

(Source: P.A. 100-202, eff. 1-1-18; 100-828, eff. 1-1-19.)

(625 ILCS 5/11-208) (from Ch. 95 1/2, par. 11-208)

Sec. 11-208. Powers of local authorities.

(a) The provisions of this Code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

1. Regulating the standing or parking of vehicles, except as limited by Sections 11-1306 and 11-1307 of this Act;

2. Regulating traffic by means of police officers or traffic control signals;

3. Regulating or prohibiting processions or assemblages on the highways; and certifying persons to control traffic for processions or assemblages;

4. Designating particular highways as one-way highways and requiring that all vehicles thereon be moved in one specific direction;

5. Regulating the speed of vehicles in public parks subject to the limitations set forth in Section 11-604;

6. Designating any highway as a through highway, as authorized in Section 11-302, and requiring that all vehicles stop before entering or crossing the same or designating any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;

7. Restricting the use of highways as authorized in Chapter 15;

8. Regulating the operation of mobile carrying devices and ~~bicycles, low speed electric bicycles, and low speed gas bicycles,~~ and requiring the registration and licensing of same, including the requirement of a registration fee;

9. Regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

10. Altering the speed limits as authorized in Section 11-604;

11. Prohibiting U-turns;

12. Prohibiting pedestrian crossings at other than designated and marked crosswalks or at intersections;

13. Prohibiting parking during snow removal operation;

14. Imposing fines in accordance with Section 11-1301.3 as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or veterans with disabilities by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or a veteran with a disability;

15. Adopting such other traffic regulations as are specifically authorized by this Code; or

16. Enforcing the provisions of subsection (f) of Section 3-413 of this Code or a similar local ordinance.

(b) No ordinance or regulation enacted under paragraph 1, 4, 5, 6, 7, 9, 10, 11 or 13 of subsection (a) shall be effective until signs giving reasonable notice of such local traffic regulations are posted.

(c) The provisions of this Code shall not prevent any municipality having a population of 500,000 or more inhabitants from prohibiting any person from driving or operating any motor vehicle upon the roadways of such municipality with headlamps on high beam or bright.

(d) The provisions of this Code shall not be deemed to prevent local authorities within the reasonable exercise of their police power from prohibiting, on private property, the unauthorized use of parking spaces reserved for persons with disabilities.

(e) No unit of local government, including a home rule unit, may enact or enforce an ordinance that applies only to motorcycles if the principal purpose for that ordinance is to restrict the access of motorcycles to any highway or portion of a highway for which federal or State funds have been used for the planning, design, construction, or maintenance of that highway. No unit of local government, including a home rule unit, may enact an ordinance requiring motorcycle users to wear protective headgear. Nothing in this subsection (e) shall affect the authority of a unit of local government to regulate motorcycles for traffic control purposes or in accordance with Section 12-602 of this Code. No unit of local government, including a home rule unit, may regulate motorcycles in a manner inconsistent with this Code. This subsection (e) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(e-5) The City of Chicago may enact an ordinance providing for a noise monitoring system upon any portion of the roadway known as Lake Shore Drive. Twelve months after the installation of the noise monitoring system, and any time after the first report as the City deems necessary, the City of Chicago shall prepare a noise monitoring report with the data collected from the system and shall, upon request, make the report available to the public. For purposes of this subsection (e-5), "noise monitoring system" means an automated noise monitor capable of recording noise levels 24 hours per day and 365 days per year with computer equipment sufficient to process the data.

(e-10) A unit of local government, including a home rule unit, may not enact an ordinance prohibiting the use of Automated Driving System equipped vehicles on its roadways. Nothing in this subsection (e-10)

shall affect the authority of a unit of local government to regulate Automated Driving System equipped vehicles for traffic control purposes. No unit of local government, including a home rule unit, may regulate Automated Driving System equipped vehicles in a manner inconsistent with this Code. For purposes of this subsection (e-10), "Automated Driving System equipped vehicle" means any vehicle equipped with an Automated Driving System of hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational domain. This subsection (e-10) is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(f) A municipality or county designated in Section 11-208.6 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(g) A municipality or county, as provided in Section 11-1201.1, may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1201 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner of a vehicle used in such a violation.

(h) A municipality designated in Section 11-208.8 may enact an ordinance providing for an automated speed enforcement system to enforce violations of Article VI of Chapter 11 of this Code or a similar provision of a local ordinance.

(i) A municipality or county designated in Section 11-208.9 may enact an ordinance providing for an automated traffic law enforcement system to enforce violations of Section 11-1414 of this Code or a similar provision of a local ordinance and imposing liability on a registered owner or lessee of a vehicle used in such a violation.

(Source: P.A. 100-209, eff. 1-1-18; 100-257, eff. 8-22-17; 100-352, eff. 6-1-18; 100-863, eff. 8-14-18; 101-123, eff. 7-26-19.)

(625 ILCS 5/11-317 new)

Sec. 11-317. Motor driven cycle prohibition signage. On any highway, bicycle lane, bicycle path, shared-use path, off-road bicycle trail or natural surface trail designated for bicycle use, or any other bicycle-specific facility established under State or local law for which use of motor driven cycles has been prohibited under Section 11-1403.4, the State or local government entity having jurisdiction shall erect permanent signage that notifies users that operation of motor driven cycles is strictly prohibited.

(625 ILCS 5/11-501) (from Ch. 95 1/2, par. 11-501)

Sec. 11-501. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(a) A person shall not drive or be in actual physical control of any vehicle within this State while:

(1) the alcohol concentration in the person's blood, other bodily substance, or breath is 0.08 or more based on the definition of blood and breath units in Section 11-501.2;

(2) under the influence of alcohol;

(3) under the influence of any intoxicating compound or combination of intoxicating compounds to a degree that renders the person incapable of driving safely;

(4) under the influence of any other drug or combination of drugs to a degree that renders the person incapable of safely driving;

(5) under the combined influence of alcohol, other drug or drugs, or intoxicating compound or compounds to a degree that renders the person incapable of safely driving;

(6) there is any amount of a drug, substance, or compound in the person's breath, blood, other bodily substance, or urine resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act, an intoxicating compound listed in the Use of Intoxicating Compounds Act, or methamphetamine as listed in the Methamphetamine Control and Community Protection Act; or

(7) the person has, within 2 hours of driving or being in actual physical control of a vehicle, a tetrahydrocannabinol concentration in the person's whole blood or other bodily substance as defined in paragraph 6 of subsection (a) of Section 11-501.2 of this Code. Subject to all other requirements and provisions under this Section, this paragraph (7) does not apply to the lawful consumption of cannabis by a qualifying patient licensed under the Compassionate Use of Medical Cannabis Program Act who is in possession of a valid registry card issued under that Act, unless that person is impaired by the use of cannabis.

(a-5) The requirements of this Section also apply to low-speed electric bicycles and low-speed gas bicycles that are operated by a person who is under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof.

(b) The fact that any person charged with violating this Section is or has been legally entitled to use alcohol, cannabis under the Compassionate Use of Medical Cannabis Program Act, other drug or drugs, or intoxicating compound or compounds, or any combination thereof, shall not constitute a defense against any charge of violating this Section.

(c) Penalties.

(1) Except as otherwise provided in this Section, any person convicted of violating subsection (a) of this Section is guilty of a Class A misdemeanor.

(2) A person who violates subsection (a) or a similar provision a second time shall be sentenced to a mandatory minimum term of either 5 days of imprisonment or 240 hours of community service in addition to any other criminal or administrative sanction.

(3) A person who violates subsection (a) is subject to 6 months of imprisonment, an additional mandatory minimum fine of \$1,000, and 25 days of community service in a program benefiting children if the person was transporting a person under the age of 16 at the time of the violation.

(4) A person who violates subsection (a) a first time, if the alcohol concentration in his or her blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 100 hours of community service and a mandatory minimum fine of \$500.

(5) A person who violates subsection (a) a second time, if at the time of the second violation the alcohol concentration in his or her blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, shall be subject, in addition to any other penalty that may be imposed, to a mandatory minimum of 2 days of imprisonment and a mandatory minimum fine of \$1,250.

(d) Aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof.

(1) Every person convicted of committing a violation of this Section shall be guilty of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof if:

(A) the person committed a violation of subsection (a) or a similar provision for the third or subsequent time;

(B) the person committed a violation of subsection (a) while driving a school bus with one or more passengers on board;

(C) the person in committing a violation of subsection (a) was involved in a motor vehicle crash that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries;

(D) the person committed a violation of subsection (a) and has been previously convicted of violating Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a law of another state relating to reckless homicide in which the person was determined to have been under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds as an element of the offense or the person has previously been convicted under subparagraph (C) or subparagraph (F) of this paragraph (1);

(E) the person, in committing a violation of subsection (a) while driving at any speed in a school speed zone at a time when a speed limit of 20 miles per hour was in effect under subsection (a) of Section 11-605 of this Code, was involved in a motor vehicle crash that resulted in bodily harm, other than great bodily harm or permanent disability or disfigurement, to another person, when the violation of subsection (a) was a proximate cause of the bodily harm;

(F) the person, in committing a violation of subsection (a), was involved in a motor vehicle crash or snowmobile, all-terrain vehicle, or watercraft accident that resulted in the death of another person, when the violation of subsection (a) was a proximate cause of the death;

(G) the person committed a violation of subsection (a) during a period in which the defendant's driving privileges are revoked or suspended, where the revocation or suspension was for a violation of subsection (a) or a similar provision, Section 11-501.1, paragraph (b) of

Section 11-401, or for reckless homicide as defined in Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012;

(H) the person committed the violation while he or she did not possess a driver's license or permit or a restricted driving permit or a judicial driving permit or a monitoring device driving permit;

(I) the person committed the violation while he or she knew or should have known that the vehicle he or she was driving was not covered by a liability insurance policy;

(J) the person in committing a violation of subsection (a) was involved in a motor vehicle crash that resulted in bodily harm, but not great bodily harm, to the child under the age of 16 being transported by the person, if the violation was the proximate cause of the injury;

(K) the person in committing a second violation of subsection (a) or a similar provision was transporting a person under the age of 16; or

(L) the person committed a violation of subsection (a) of this Section while transporting one or more passengers in a vehicle for-hire.

(2)(A) Except as provided otherwise, a person convicted of aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof is guilty of a Class 4 felony.

(B) A third violation of this Section or a similar provision is a Class 2 felony. If at the time of the third violation the alcohol concentration in his or her blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum of 90 days of imprisonment and a mandatory minimum fine of \$2,500 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the third violation, the defendant was transporting a person under the age of 16, a mandatory fine of \$25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(C) A fourth violation of this Section or a similar provision is a Class 2 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum fine of \$5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fourth violation, the defendant was transporting a person under the age of 16 a mandatory fine of \$25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(D) A fifth violation of this Section or a similar provision is a Class 1 felony, for which a sentence of probation or conditional discharge may not be imposed. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum fine of \$5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the fifth violation, the defendant was transporting a person under the age of 16, a mandatory fine of \$25,000, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(E) A sixth or subsequent violation of this Section or similar provision is a Class X felony. If at the time of the violation, the alcohol concentration in the defendant's blood, breath, other bodily substance, or urine was 0.16 or more based on the definition of blood, breath, other bodily substance, or urine units in Section 11-501.2, a mandatory minimum fine of \$5,000 shall be imposed in addition to any other criminal or administrative sanction. If at the time of the violation, the defendant was transporting a person under the age of 16, a mandatory fine of \$25,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(F) For a violation of subparagraph (C) of paragraph (1) of this subsection (d), the defendant, if sentenced to a term of imprisonment, shall be sentenced to not less than one year nor more than 12 years.

(G) A violation of subparagraph (F) of paragraph (1) of this subsection (d) is a Class 2 felony, for which the defendant, unless the court determines that extraordinary circumstances exist and require probation, shall be sentenced to: (i) a term of imprisonment of not less than 3 years and not more than 14 years if the violation resulted in the death of one person; or (ii) a term of imprisonment

of not less than 6 years and not more than 28 years if the violation resulted in the deaths of 2 or more persons.

(H) For a violation of subparagraph (J) of paragraph (1) of this subsection (d), a mandatory fine of \$2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(I) A violation of subparagraph (K) of paragraph (1) of this subsection (d), is a Class 2 felony and a mandatory fine of \$2,500, and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction. If the child being transported suffered bodily harm, but not great bodily harm, in a motor vehicle crash, and the violation was the proximate cause of that injury, a mandatory fine of \$5,000 and 25 days of community service in a program benefiting children shall be imposed in addition to any other criminal or administrative sanction.

(J) A violation of subparagraph (D) of paragraph (1) of this subsection (d) is a Class 3 felony, for which a sentence of probation or conditional discharge may not be imposed.

(3) Any person sentenced under this subsection (d) who receives a term of probation or conditional discharge must serve a minimum term of either 480 hours of community service or 10 days of imprisonment as a condition of the probation or conditional discharge in addition to any other criminal or administrative sanction.

(e) Any reference to a prior violation of subsection (a) or a similar provision includes any violation of a provision of a local ordinance or a provision of a law of another state or an offense committed on a military installation that is similar to a violation of subsection (a) of this Section.

(f) The imposition of a mandatory term of imprisonment or assignment of community service for a violation of this Section shall not be suspended or reduced by the court.

(g) Any penalty imposed for driving with a license that has been revoked for a previous violation of subsection (a) of this Section shall be in addition to the penalty imposed for any subsequent violation of subsection (a).

(h) For any prosecution under this Section, a certified copy of the driving abstract of the defendant shall be admitted as proof of any prior conviction.

(Source: P.A. 101-363, eff. 8-9-19; 102-982, eff. 7-1-23.)

(625 ILCS 5/11-1008.5 new)

Sec. 11-1008.5. Toy vehicles. Toy vehicles shall only be operated on sidewalks and paths designated for bicycles. Every person operating a toy vehicle upon a sidewalk or bicycle path shall be granted all the rights and shall be subject to all the duties applicable to a pedestrian. The driver of a vehicle shall yield the right-of-way to any person operating a toy vehicle. The use of toy vehicles on property owned, managed, or leased by any municipality, park district, forest preserve district, or conservation district is allowed, unless specifically prohibited in an ordinance or resolution adopted by the municipality, park district, forest preserve district, or conservation district. The Department of Natural Resources is authorized to adopt administrative rules for the regulation of toy vehicles on any and all properties owned, managed, or leased by the Department of Natural Resources. No person shall knowingly tamper with or modify the speed capability or engagement of a toy vehicle beyond the original speed capabilities of the device.

No unit of local government, including a home rule unit, may regulate toy vehicles in a manner that is less restrictive than this Section. This paragraph is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(625 ILCS 5/11-1403.4 new)

Sec. 11-1403.4. Operation of motor driven cycles.

(a) Except as otherwise provided in this Section, a person may operate a motor driven cycle upon any public highway, street, or roadway in this State.

(b) Motor driven cycles shall not be operated on any sidewalk, bicycle lane, bicycle path, shared-use path, off-road bicycle trail or natural surface trail designated for bicycle use, or any other bicycle-specific facility established under State or local law. For purposes of this subsection, "shared-use path" means any paved, off-street travel way designed to serve non-motorized vehicles and travelers.

(c) Motor driven cycles shall not be operated upon interstate highways or upon public highways divided by a grass or concrete median or highways with speed limits in excess of 55 miles per hour or upon any public land where expressly prohibited by the State governing body, department, or agency having jurisdiction thereof.

(d) No person shall operate a motor driven cycle unless that person is in possession of a valid driver's license. Pursuant to Section 6-107.1, the Secretary may issue an instruction permit to a person 16 or 17 years of age that entitles the holder to drive upon the highways during daylight under direct supervision of a licensed motor driven cycle operator 21 years of age or older who has a license classification to operate such motor driven cycle and at least one year of driving experience.

(e) A person may not operate a motor driven cycle while carrying a passenger unless that motor driven cycle was manufactured to carry a passenger.

(f) A motor driven cycle manufactured to accommodate passengers may not be operated by a person under the age of 18 while transporting a passenger unless the passenger is a sibling, stepsibling, child, or stepchild of the operator.

(g) Each motor driven cycle shall be equipped with a speedometer that displays the speed of travel in miles per hour. Each motor driven cycle shall also be equipped with or display a vehicle identification number and conform with all federal vehicle safety standards as well as meet all applicable equipment requirements specified in this Article and Chapter 12. No person shall knowingly tamper with or modify the speed capability or engagement of a motor driven cycle beyond its originally intended capability.

(h) Except as otherwise provided in this Section, every person operating a motor driven cycle upon a highway shall be granted all of the rights allowed under this Chapter, and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except as to any applicable special rules and those provisions of this Code which by their nature can have no application.

(i) No retailer, wholesaler, distributor, or manufacturer shall market, advertise, label, or otherwise offer for sale a motor driven cycle in any manner that would reasonably cause a consumer to believe that the vehicle is a device that is not subject to the requirements of this Section. Any violation of this subsection constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act, and is enforceable by the Attorney General or State's Attorneys under the Consumer Fraud and Deceptive Business Practices Act. Law enforcement officers are authorized to seize or impound vehicles marketed or sold in violation of this subsection, pending resolution of proceedings initiated pursuant to the Consumer Fraud and Deceptive Business Practices Act. In addition to any penalty authorized under this subsection, the law enforcement agency may provide for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its confiscation and impounding. A retailer, wholesaler, distributor, or manufacturer that violates this subsection is subject to a civil penalty not exceeding \$10,000 for each violation. Each mislabeled or falsely marketed vehicle constitutes a separate violation.

(j) Any motor driven cycle found to be in violation of this Section may, in the discretion of the law enforcement agency having jurisdiction, be subject to confiscation and impoundment. The law enforcement agency may provide for the release of properly impounded vehicles and for the imposition of a reasonable administrative fee related to its confiscation and impounding. The administrative fee shall be waived upon verifiable proof that the vehicle was stolen or hijacked at the time the vehicle was impounded.

(k) No unit of local government, including a home rule unit, may regulate motor driven cycles. This subsection (k) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution, and is an exercise of exclusive State power which may not be exercised concurrently by a home rule unit.

(l) Every owner of a motor driven cycle is subject to the mandatory insurance requirements specified in Article VI of Chapter 7 of this Code.

(m) The Secretary may adopt any rules necessary to implement this Section.

(625 ILCS 5/11-1435 new)

Sec. 11-1435. Operation of electric micromobility devices.

(a) Except as otherwise provided in this Section, a person may operate an electric micromobility device upon any highway, street, roadway, bicycle lane, or bicycle path in this State. A person operating an electric micromobility device upon a highway, street, or roadway may not otherwise impede or obstruct other vehicular traffic.

(b) An electric micromobility device shall not be operated on:

(1) a sidewalk;

(2) a highway with a speed limit in excess of 35 miles per hour, unless there is a designated bicycle lane on such highway; or

(3) an interstate highway.

Additionally, any such electric micromobility device capable of and operating in excess of 28 miles per hour shall be prohibited from operating on any public highway, regardless of speed limit, and shall further be prohibited from bicycle lanes and bicycle paths.

(c) The Department of Transportation and the Department of Natural Resources may adopt administrative rules prohibiting the use of electric micromobility devices upon any highway, street, roadway, bicycle lane, or bicycle path under its jurisdiction.

(d) A person may not operate an electric micromobility device unless he or she is 16 years of age or older.

(e) Every electric micromobility device shall be equipped with a functioning brake that will adequately control movement of and stop and hold the device. Every electric micromobility device, when in use at nighttime, shall also be equipped with a lamp on the front that emits a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear that is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in addition to or instead of the red reflector. A person operating an electric micromobility device at nighttime may also use a headlamp equipped with lighting sufficient to meet the visibility requirements of this subsection.

(f) An electric micromobility device may be parked in the same manner and at the same locations as a bicycle may be parked; however, such device must not obstruct any sidewalk or pedestrian right-of-way.

(g) A person may not use an electric micromobility device to carry a passenger unless the device was originally designed to carry more than one person at a time.

(h) No person riding upon any electric micromobility device shall attach the device or himself or herself to any vehicle upon a roadway.

(i) No person shall knowingly tamper with or modify the speed capability or engagement of an electric micromobility device beyond the original speed capability of the device.

(j) A person may not operate an electric micromobility device while under the influence of alcohol or any drug.

(k) Every electric micromobility device shall be well-maintained and in good operating condition.

(l) An electric micromobility device shall not be equipped with a siren nor shall any person use any siren upon an electric micromobility device. This subsection does not apply to an electric micromobility device used by a police or fire department.

(m) Any electric micromobility device operated in violation of or found to be in violation of this Section may, in the discretion of the law enforcement agency having jurisdiction, be subject to confiscation and impoundment. The law enforcement agency may provide for the release of a properly impounded vehicle and for the imposition of a reasonable administrative fee related to its confiscation and impounding. The administrative fee shall be waived upon verifiable proof that the vehicle was stolen or hijacked at the time the vehicle was impounded.

(n) Every person operating an electric micromobility device upon a highway shall be granted all of the rights allowed by this Chapter, and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except as to any applicable special rules and those provisions of this Code which by their nature can have no application.

(o) No unit of local government, including a home rule unit, may regulate electric micromobility devices. This subsection (o) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution, and is an exercise of exclusive State power which may not be exercised concurrently by a home rule unit.

(p) The Secretary may adopt any rules necessary to implement this Section.

(625 ILCS 5/11-1516)

Sec. 11-1516. Low-speed gas bicycles.

(a) A person may operate a low-speed gas bicycle only if the person is at least 16 years of age.

(b) A person may not operate a low-speed gas bicycle at a speed greater than ~~28~~ 20 miles per hour upon any highway, street, or roadway.

(c) A person may not operate a low-speed gas bicycle on a sidewalk.

(d) Except as otherwise provided in this Section, the provisions of this Article XV that apply to bicycles also apply to low-speed gas bicycles.

(e) No unit of local government, including a home rule unit, may regulate low-speed gas bicycles. This subsection (e) is a denial and limitation of home rule powers and functions under subsection (h) of

Section 6 of Article VII of the Illinois Constitution, and is an exercise of exclusive State power which may not be exercised concurrently by a home rule unit.

(Source: P.A. 100-209, eff. 1-1-18.)

(625 ILCS 5/11-1517)

Sec. 11-1517. Low-speed electric bicycles.

(a) Except as otherwise provided in this Section, the provisions of this Chapter that apply to bicycles also apply to low-speed electric bicycles.

(b) Each low-speed electric bicycle operating in this State shall comply with equipment and manufacturing requirements adopted by the United States Consumer Product Safety Commission under 16 CFR 1512. Each Class 3 low-speed electric bicycle shall be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour.

(c) Beginning on or after January 1, 2018, every manufacturer and distributor of low-speed electric bicycles shall apply a label that is permanently affixed to the bicycle in a prominent location. The label shall contain, in Arial font in at least 9-point type:

(1) a classification number for the bicycle that corresponds with a class under Section 1-140.10 of this Code;

(2) the bicycle's top assisted speed; and

(3) the bicycle's motor wattage.

No person shall knowingly tamper or modify the speed capability or engagement of a low-speed electric bicycle without replacing the label required under this subsection (c).

(d) A Class 2 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. A Class 1 low-speed electric bicycle and a Class 3 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling.

(e) A person may operate a low-speed electric bicycle upon any highway, street, or roadway authorized for use by bicycles, including, but not limited to, bicycle lanes.

(f) A person may operate a low-speed electric bicycle upon any bicycle path unless the State agency, municipality, county, or local authority with jurisdiction prohibits the use of low-speed electric bicycles or a specific class of low-speed electric bicycles on that path. The Department of Natural Resources is authorized to adopt administrative rules for the regulation of low-speed electric bicycles on any and all properties owned, managed, or leased by the Department of Natural Resources.

(g) A person may not operate a low-speed electric bicycle on a sidewalk.

(h) A person may operate a Class 1 or Class 2 low-speed electric bicycle only if he or she is 15 years of age or older. A person may operate a Class 3 low-speed electric bicycle only if he or she is 16 years of age or older. A person who is less than 16 years of age may ride as a passenger on a Class 3 low-speed electric bicycle that is designed to accommodate passengers. A low-speed electric bicycle that is manufactured to accommodate passengers may not be operated by a person under the age of 18 with a passenger unless the passenger is a sibling, stepsibling, child, or stepchild of the operator.

(i) No unit of local government, including a home rule unit, may regulate low-speed electric bicycles. This subsection (i) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution, and is an exercise of exclusive State power which may not be exercised concurrently by a home rule unit.

(Source: P.A. 100-209, eff. 1-1-18.)

(625 ILCS 5/11-1518 rep.)

Section 10. The Illinois Vehicle Code is amended by repealing Section 11-1518.

Section 15. The Consumer Fraud and Deceptive Business Practices Act is amended by changing Section 2Z as follows:

(815 ILCS 505/2Z) (from Ch. 121 1/2, par. 262Z)

Sec. 2Z. Violations of other Acts. Any person who knowingly violates the Automotive Repair Act, the Automotive Collision Repair Act, the Home Repair and Remodeling Act, the Dance Studio Act, the Physical Fitness Services Act, the Hearing Instrument Consumer Protection Act, the Illinois Union Label Act, the Installment Sales Contract Act, the Job Referral and Job Listing Services Consumer Protection Act, the Travel Promotion Consumer Protection Act, the Credit Services Organizations Act, the Automatic Telephone Dialers Act, the Pay-Per-Call Services Consumer Protection Act, the Telephone Solicitations Act,

the Illinois Funeral or Burial Funds Act, the Cemetery Oversight Act, the Cemetery Care Act, the Safe and Hygienic Bed Act, the Illinois Pre-Need Cemetery Sales Act, the High Risk Home Loan Act, the Payday Loan Reform Act, the Predatory Loan Prevention Act, the Mortgage Rescue Fraud Act, subsection (a) or (b) of Section 3-10 of the Cigarette Tax Act, subsection (a) or (b) of Section 3-10 of the Cigarette Use Tax Act, the Electronic Mail Act, the Internet Caller Identification Act, paragraph (6) of subsection (k) of Section 6-305 of the Illinois Vehicle Code, Section 11-1431, 18d-115, 18d-120, 18d-125, 18d-135, 18d-150, or 18d-153 of the Illinois Vehicle Code, subsection (i) of Section 11-1403.4 of the Illinois Vehicle Code, Article 3 of the Residential Real Property Disclosure Act, the Automatic Contract Renewal Act, the Reverse Mortgage Act, Section 25 of the Youth Mental Health Protection Act, the Personal Information Protection Act, or the Student Online Personal Protection Act commits an unlawful practice within the meaning of this Act.

(Source: P.A. 100-315, eff. 8-24-17; 100-416, eff. 1-1-18; 100-863, eff. 8-14-18; 101-658, eff. 3-23-21.)

Section 99. Effective date. This Act takes effect July 1, 2027."

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Villivalam, **Senate Bill No. 3484** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3484

AMENDMENT NO. 1. Amend Senate Bill 3484 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Sections 3-109, 3-412, 3-609, 3-701, 3-705, 3-801, 4-105, 5-202, 5-701, 6-115, 6-118, 11-1301.2, and 12-610.2 as follows:

(625 ILCS 5/3-109) (from Ch. 95 1/2, par. 3-109)

Sec. 3-109. Registration without certificate of title; bond. If the Secretary of State is not satisfied as to the ownership of the vehicle, including, but not limited to, in the case of a manufactured home, a circumstance in which the manufactured home is covered by a Manufacturer's Statement of Origin that the owner of the manufactured home, after diligent search and inquiry, is unable to produce, or that there are no undisclosed security interests in it, the Secretary of State may register the vehicle but shall:

(a) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the Secretary of State as to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it;

(b) As a condition of issuing a certificate of title, require the applicant to file with the Secretary of State a bond in the form prescribed by the Secretary of State and executed by the applicant, and either accompanied by the deposit of cash with the Secretary of State or also executed by a person authorized to conduct a surety business in this State. The bond shall be in an amount equal to one and one-half times the value of the vehicle as determined by the Secretary of State and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of 3 years or prior thereto if (i) the vehicle is no longer registered in this State and the currently valid certificate of title is surrendered to the Secretary of State or (ii) in the case of a certificate of title to a manufactured home, the currently valid certificate of title is surrendered to the Secretary of State in accordance with Section 3-116.2; unless the Secretary of State has been notified of the pendency of an action to recover on the bond. Security deposited as a bond hereunder shall be placed by the Secretary of State in the custody of the State Treasurer; or

(b-5) Require the applicant to file with the Secretary of State an application for a provisional title in the form prescribed by the Secretary and executed by the applicant, and accompanied by a \$50 fee to be deposited in the CDLIS/AAMVAnet/NMVTIS Trust Fund. The Secretary shall designate by rule the documentation acceptable for an individual to apply for a provisional title. A provisional title shall be valid for 3 years and is nontransferable for the 3-year period. A provisional title shall be clearly marked and otherwise distinguished from a certificate of title. Three years after the issuance of a provisional title, the provisional title holder shall apply for the appropriate ~~transferable~~ ~~transferrable~~ title in the applicant's name. If a claim of ownership for the vehicle is brought against a holder of a provisional title, then the provisional title holder shall apply for a bond under subsection (b) of this Section for the amount of time remaining on the provisional title. A provisional title holder or an individual who asserts a claim to the motor vehicle may petition a circuit court of competent jurisdiction for an order to determine the ownership of the vehicle. A provisional title shall not be available to individuals or entities that rebuild, repair, store, or tow vehicles or have a claim against the vehicle under the Labor and Storage Lien Act or the Labor and Storage Lien (Small Amount) Act.

~~Security deposited as a bond hereunder shall be placed by the Secretary of State in the custody of the State Treasurer.~~

During July, annually, the Secretary shall compile a list of all bonds on deposit, pursuant to this Section, for more than 3 years and concerning which he has received no notice as to the pendency of any judicial proceeding that could affect the disposition thereof. Thereupon, he shall promptly send a notice by certified mail to the last known address of each depositor advising him that his bond will be subject to escheat to the State of Illinois if not claimed within 30 days after the mailing date of such notice. At the expiration of such time, the Secretary of State shall file with the State Treasurer an order directing the transfer of such deposit to the Road Fund in the State Treasury. Upon receipt of such order, the State Treasurer shall make such transfer, after converting to cash any other type of security. Thereafter any person having a legal claim against such deposit may enforce it by appropriate proceedings in the Court of Claims subject to the limitations prescribed for such Court. At the expiration of such limitation period such deposit shall escheat to the State of Illinois.

(Source: P.A. 98-749, eff. 7-16-14; 98-777, eff. 1-1-15; 99-78, eff. 7-20-15.)

(625 ILCS 5/3-412) (from Ch. 95 1/2, par. 3-412)

Sec. 3-412. Registration plates or digital registration plates and registration stickers or digital registration stickers to be furnished by the Secretary of State.

(a) The Secretary of State upon registering a vehicle subject to annual registration for the first time shall issue or shall cause to be issued to the owner one registration plate or digital registration plate for a motorcycle, trailer, semitrailer, moped, autocycle, or truck-tractor, 2 registration plates, or a digital registration plate and metal plate as set forth in Section 3-401.5, for other motor vehicles and, where applicable, current registration stickers or digital registration stickers for motor vehicles of the first division. The provisions of this Section may be made applicable to such vehicles of the second division, as the Secretary of State may, from time to time, in his discretion designate. On subsequent annual registrations during the term of the registration plate or digital registration plate as provided in Section 3-414.1, the Secretary shall issue or cause to be issued registration stickers or digital registration stickers as evidence of current registration. However, the issuance of annual registration stickers or digital registration stickers to vehicles registered under the provisions of Sections 3-402.1 and 3-405.3 of this Code may not be required if the Secretary deems the issuance unnecessary.

(b) Except as otherwise provided in this Code, the design and color of registration plates shall be wholly within the discretion of the Secretary of State. Every registration plate or digital registration plate shall have displayed upon it the registration number assigned to the vehicle for which it is issued, the name of this State, which may be abbreviated, the year number for which it was issued, which may be abbreviated, the phrase "Land of Lincoln" (except as otherwise provided in this Code), and such other letters or numbers as the Secretary may prescribe. However, for apportionment plates issued to vehicles registered under Section 3-402.1 and fleet plates issued to vehicles registered under Section 3-405.3, the phrase "Land of Lincoln" may be omitted to allow for the word "apportioned", the word "fleet", or other similar language to be displayed. Registration plates or digital registration plates issued to a vehicle registered as a fleet vehicle may display a designation determined by the Secretary.

The Secretary may in his discretion prescribe that letters be used as prefixes only on registration plates or digital registration plates issued to vehicles of the first division which are registered under this Code and only as suffixes on registration plates or digital registration plates issued to other vehicles. Every

registration sticker or digital registration sticker issued as evidence of current registration shall designate the year number for which it is issued and such other letters or numbers as the Secretary may prescribe and shall be of a contrasting color with the registration plates or digital registration plates and registration stickers or digital registration stickers of the previous year.

(c) Each registration plate or digital registration plate and the required letters and numerals thereon, except the year number for which issued, shall be of sufficient size to be plainly readable from a distance of 100 feet during daylight, and shall be coated with reflectorizing material. The dimensions of the plate issued to vehicles of the first division shall be 6 by 12 inches.

(d) The Secretary of State shall issue for every passenger motor vehicle rented without a driver the same type of registration plates or digital registration plates as the type of plates issued for a private passenger vehicle.

(e) The Secretary of State shall issue for every passenger car used as a taxicab or livery, distinctive registration plates or digital registration plates.

(f) The Secretary of State shall issue for every motorcycle distinctive registration plates or digital registration plates distinguishing between motorcycles having 150 or more cubic centimeters piston displacement, or having less than 150 cubic centimeter piston displacement.

(g) Registration plates or digital registration plates issued to vehicles for-hire may display a designation as determined by the Secretary that such vehicles are for-hire.

(h) (Blank).

(i) The Secretary of State shall issue for every public and private ambulance registration plates or digital registration plates identifying the vehicle as an ambulance. The Secretary shall forward to the Department of Healthcare and Family Services registration information for the purpose of verification of claims filed with the Department by ambulance owners for payment for services to public assistance recipients.

(j) The Secretary of State shall issue for every public and private medical carrier or rescue vehicle livery registration plates or digital registration plates displaying numbers within ranges of numbers reserved respectively for medical carriers and rescue vehicles. The Secretary shall forward to the Department of Healthcare and Family Services registration information for the purpose of verification of claims filed with the Department by owners of medical carriers or rescue vehicles for payment for services to public assistance recipients.

(k) The Secretary of State shall issue distinctive license plates or digital registration plates or distinctive license plate stickers or digital registration stickers for every vehicle exempted from subsections (a) and (a-5) of Section 12-503 by subsection (g) of that Section, and by subsection (g-5) of that Section before its deletion by this amendatory Act of the 95th General Assembly. The Secretary shall issue these plates or stickers immediately upon receiving the physician's certification required under subsection (g) of Section 12-503. New plates or stickers shall also be issued when the certification is renewed as provided in that subsection.

(l) The Secretary of State shall issue distinctive registration plates or digital registration plates for low-speed vehicles.

(m) The Secretary of State shall issue distinctive registration plates or digital registration plates for autocycles. The dimensions of the plate issued to autocycles shall be 4 by 7 inches.

(Source: P.A. 101-395, eff. 8-16-19.)

(625 ILCS 5/3-609) (from Ch. 95 1/2, par. 3-609)

Sec. 3-609. Plates for veterans with disabilities.

(a) Any veteran who holds proof of a service-connected disability from the United States Department of Veterans Affairs, and who has obtained certification from a licensed physician, physician assistant, or advanced practice registered nurse that the service-connected disability qualifies the veteran for issuance of registration plates or digital registration plates or decals to a person with disabilities in accordance with Section 3-616, may, without the payment of any registration fee, make application to the Secretary of State for license plates for veterans with disabilities displaying the international symbol of access, for the registration of one motor vehicle of the first division, one motorcycle, or one motor vehicle of the second division weighing not more than 8,000 pounds.

(b) Any veteran who holds proof of a service-connected disability from the United States Department of Veterans Affairs, and whose degree of disability has been declared to be 50% or more, but whose disability does not qualify the veteran for a plate or decal for persons with disabilities under Section 3-616, may, without the payment of any registration fee, make application to the Secretary for a special registration

plate or digital registration plate without the international symbol of access for the registration of one motor vehicle of the first division, one motorcycle, or one motor vehicle of the second division weighing not more than 8,000 pounds.

(c) Renewal of such registration must be accompanied with documentation for eligibility of registration without fee unless the applicant has a permanent qualifying disability, and such registration plates or digital registration plates may not be issued to any person not eligible therefor. The Illinois Department of Veterans Affairs may assist in providing the documentation of disability.

(d) The design and color of the plates shall be within the discretion of the Secretary, except that the plates issued under subsection (b) of this Section shall not contain the international symbol of access. The Secretary may, in his or her discretion, allow the plates to be issued as vanity or personalized plates in accordance with Section 3-405.1 of this Code. Registration shall be for a multi-year period and may be issued staggered registration.

(e) Any person eligible to receive license plates under this Section who has been approved for benefits under the Senior Citizens and Persons with Disabilities Property Tax Relief Act, or who has claimed and received a grant under that Act, shall pay the ~~a fee specified under Section 3-806.3 of \$24~~ instead of the fee otherwise provided in this Code for passenger cars displaying standard multi-year registration plates or digital registration plates issued under Section 3-414.1, for motor vehicles registered at 8,000 pounds or less under Section 3-815(a), or for recreational vehicles registered at 8,000 pounds or less under Section 3-815(b), for a second set of plates under this Section.

(f) With respect to the supporting documentation required to obtain a plate under this Section, the Secretary shall allow an applicant to redact information on the documentation that pertains to the nature of the applicant's health issue, unless that information is necessary to confirm that the applicant's disability is service-connected or to establish the degree of the applicant's service-connected disability.

(Source: P.A. 104-234, eff. 8-15-25.)

(625 ILCS 5/3-701) (from Ch. 95 1/2, par. 3-701)

Sec. 3-701. Operation of vehicles without evidence of registration - Operation under mileage plates when odometer broken or disconnected.

(a) No person shall operate, nor shall an owner knowingly permit to be operated, except as provided in subsection (b) of this Section, a vehicle upon any highway unless there shall be attached thereto and displayed thereon when and as required by law, proper evidence of registration in Illinois, as follows:

(1) A vehicle required to be registered in Illinois. A current and valid Illinois registration sticker or stickers and plate or plates or digital registration sticker or stickers and digital plate or plates, or an Illinois temporary registration permit, or a drive-away or in-transit permit, issued therefor by the Secretary of State.

(2) A vehicle eligible for Reciprocity. A current and valid reciprocal foreign registration plate or digital registration plate or plates properly issued to such vehicle or a temporary registration issued therefor, by the reciprocal State, and, in addition, when required by the Secretary, a current and valid Illinois Reciprocity Permit or Prorate Decal issued therefor by the Secretary of State; or except as otherwise expressly provided for in this Chapter.

(3) A vehicle commuting for repairs in Illinois. A dealer plate issued by a foreign state shall exempt a vehicle from the requirements of this Section if the vehicle is being operated for the purpose of transport to a repair facility in Illinois to have repairs performed on the vehicle displaying foreign dealer plates. The driver of the motor vehicle bearing dealer plates shall provide a work order or contract with the repair facility to a law enforcement officer upon request.

(b) A person may operate, or permit the operation of, a vehicle ~~upon any highway a vehicle~~ that has been properly registered but does not display a current and valid Illinois registration sticker or digital registration sticker if he or she has proof, in the form of a printed receipt from the Secretary, that he or she registered the vehicle but has not received a new registration sticker or digital registration sticker from the Secretary. This printed proof of registration is valid for 30 days from the expiration of the previous registration sticker's or digital registration sticker's date or 30 days from the purchase date of the new registration sticker or digital registration sticker, whichever occurs later.

(c) No person shall operate, nor shall any owner knowingly permit to be operated, any vehicle of the second division for which the owner has made an election to pay the mileage tax in lieu of the annual flat weight tax, at any time when the odometer of such vehicle is broken or disconnected, or is inoperable or not operating.

(Source: P.A. 104-105, eff. 8-1-25.)

(625 ILCS 5/3-705) (from Ch. 95 1/2, par. 3-705)

Sec. 3-705. Suspending or revoking certificate or special plates of a manufacturer, engine and driveline component manufacturer, transporter, repossessor, tow truck or wrecker operator, or dealer.

The Secretary of State is also authorized to suspend or revoke a certificate or the special plates issued to a manufacturer, engine and driveline component manufacturer, transporter, repossessor, tow truck or wrecker operator, or dealer upon determining that any such person is not lawfully entitled thereto or has made or knowingly permitted any illegal use of such plates or has committed fraud in the registration of vehicles or failed to give notices of transfers when and as required by this Chapter.

(Source: P.A. 76-2139.)

(625 ILCS 5/3-801) (from Ch. 95 1/2, par. 3-801)

Sec. 3-801. Registration.

(a) Except as provided herein for new residents, every owner of any vehicle which shall be operated upon the public highways of this State shall, within 24 hours after becoming the owner or at such time as such vehicle becomes subject to registration under the provisions of this Act, file in an office of the Secretary of State, an application for registration properly completed and executed. New residents need not secure registration until 30 days after establishing residency in this State, provided the vehicle is properly registered in another jurisdiction. By the expiration of such 30-day statutory grace period, a new resident shall comply with the provisions of this Act and apply for Illinois vehicle registration. All applications for registration shall be accompanied by all documentation required under the provisions of this Act. The appropriate registration fees and taxes provided for in this Article of this Chapter shall be paid to the Secretary of State with the application for registration of vehicles subject to registration under this Act.

(b) Any resident of this State, who has been serving as a member or as a civilian employee of the United States Armed Services, or as a civilian employee of the United States Department of Defense, outside of the State of Illinois, need not secure registration until 45 days after returning to this State, provided the vehicle displays temporary military registration.

(c) When an application is submitted by mail, the applicant may not submit cash or postage stamps for payment of fees or taxes due. The Secretary in his discretion, may decline to accept a personal or company check or electronic payment in payment of fees or taxes. An application submitted to a dealer, or a remittance made to the Secretary of State shall be deemed in compliance with this Section.

(d) For purposes of registration under this Code, no vehicle shall be registered in the name of a person who is not an owner or lessee of that vehicle. Any vehicle owner seeking to register a vehicle in this State must register that vehicle to a State address. This subsection is declarative of existing law and practice.

(Source: P.A. 99-118, eff. 1-1-16; 99-324, eff. 1-1-16; 99-642, eff. 7-28-16.)

(625 ILCS 5/4-105) (from Ch. 95 1/2, par. 4-105)

Sec. 4-105. Offenses relating to disposition of titles and registration.

(a) It is a violation of this Chapter for:

1. a person to alter, forge, or counterfeit any manufacturer's statement of origin, certificate of title, salvage certificate, junking certificate, license plate or digital license plate, display certificate, registration sticker or digital registration sticker, registration card, or temporary registration permit;

2. a person to alter, forge, or counterfeit an assignment of any manufacturer's statement of origin, certificate of title, salvage certificate or junking certificate;

3. a person to alter, forge, or counterfeit a release of a security interest on any manufacturer's statement of origin, certificate of title, salvage certificate or junking certificate;

4. a person to alter, forge, or counterfeit an application for any certificate of title, salvage certificate, junking certificate, display certificate, registration sticker or digital registration sticker, registration card, temporary registration permit or license plate;

5. a person to use a false or fictitious name or address or altered, forged, counterfeited or stolen manufacturer's identification number, or make a material false statement, or fail to disclose a security interest, or conceal any other material fact on any application for any manufacturer's statement of origin, certificate of title, junking certificate, salvage certificate, registration card, license plate or digital license plate, temporary registration permit, or registration sticker or digital registration sticker, or commit a fraud in connection with any application under this Act;

6. an unauthorized person to have in his possession a blank Illinois certificate of title paper;

7. a person to surrender or cause to be surrendered any certificate of title, salvage or junking certificate in exchange for a certificate of title or other title document from any other state or foreign

jurisdiction for the purpose of changing or deleting an "S.V." or "REBUILT" notation, odometer reading, or any other information contained on such Illinois certificate.

(b) Sentence. A person convicted of a violation of this Section shall be guilty of a Class 2 felony.

(Source: P.A. 101-395, eff. 8-16-19; 102-558, eff. 8-20-21.)

(625 ILCS 5/5-202) (from Ch. 95 1/2, par. 5-202)

Sec. 5-202. Tow or Wrecker operators must register tow or wrecker vehicles.

(a) No person in this State shall engage in the business of operating a tow truck or wrecker or operate a tow or wrecker vehicle until such person shall register any vehicle to be used for such purpose and apply for and receive from the Secretary of State a generally distinctive set of 3 "tow truck" plates for any towing or wrecker vehicle operated by him.

(b) An application for registration for a generally distinctive set of 3 "tow truck" plates under this Article shall be filed with the Secretary of State, duly verified by oath and in such form as the Secretary of State may by rule or regulation prescribe and shall contain the name and business address of such person, the vehicle identification number of the vehicle for which such application is made, proof of insurance as set forth in paragraph (d) of Section 12-606 of this Code, and such other information concerning the business of the applicant as the Secretary of State may by rule or regulation prescribe.

(c) The application for registration and a generally distinctive set of 3 "tow truck" plates shall be accompanied by the prescribed fee. Upon payment of such fee, such registration and application shall be filed and recorded in the office of the Secretary of State. Thereupon the Secretary of State shall assign and issue to such person a generally distinctive number for each vehicle and without further expense to him shall deliver to such person at his place of business address one set of 3 "tow truck" plates. Such "tow truck" plates shall be used by such person only on the vehicle for which application was made and the vehicle being towed, and are not transferable.

(d) All "tow truck" plates granted under this Section shall expire by operation of law on December 31 of the calendar year for which they are granted unless sooner suspended or revoked under the provisions of Section 5-501 of this Chapter or Article VII of Chapter 3 of this Code.

(e) One "tow truck" plate shall be attached to the front and rear of each registered vehicle, and one "tow truck" plate shall be attached to the rear of the vehicle being towed unless the towed vehicle displays a valid registration plate or digital registration plate visible from the rear while being towed, so that the numbers and letter on the plate are clearly visible to any person following the vehicle being towed. However, illumination of the rear plate required by subsection (c) of Section 12-201 of this Code shall not apply to the third plate displayed on the towed vehicle. In addition, the vehicle registration plates or digital registration plates assigned to the vehicle being towed shall be displayed as provided in Section 3-413 of this Code.

(Source: P.A. 101-395, eff. 8-16-19.)

(625 ILCS 5/5-701) (from Ch. 95 1/2, par. 5-701)

Sec. 5-701. Vehicle auctioneers to be licensed.

(a) No person, other than a licensed new vehicle dealer, a licensed used vehicle dealer, or municipality, shall engage in this State in the business of auctioning vehicles, for more than one owner, at auction or shall offer to sell, solicit or advertise the sale of a vehicle at auction without first acquiring a commercial vehicle auctioneer license from the Secretary of State under the provisions of this Section. A vehicle auction licensee shall be entitled thereunder to sell, solicit, and advertise the sale of used vehicles belonging to others at auction.

(b) An application for a vehicle auctioneer license shall be filed with the Secretary of State, duly verified by oath, in such form as the Secretary of State may by rule or regulation prescribe and shall contain:

1. The name and type of business organization established and the address of the place of business;

2. If the applicant is a corporation, a list of its officers and directors, setting forth the residence address of each; if the applicant is a sole proprietorship, a partnership, an unincorporated association, trust or any similar form of business organization, the names and residence addresses of the proprietor or of each partner, member, officer, director, trustee, manager and shareholder having 10% or greater ownership interest in the corporation;

3. A statement that the applicant has been approved for registration under the Retailers' Occupation Tax Act, approved June 28, 1933, as amended, by the Department of Revenue. However, this requirement does not apply to licensee who is already licensed hereunder with the Secretary of State, and who is merely applying for a renewal of his license. As evidence of this fact, the application shall be accompanied by a

certification from the Department of Revenue showing that the Department has approved the applicant for registration under the Retailers' Occupation Tax Act;

4. A statement that the applicant has complied with the bonding requirements of the "Retailers' Occupation Tax Act", approved June 28, 1933, as amended. As evidence of this fact, the application shall be accompanied by a certification from the Department of Revenue showing that the applicant is in compliance with the bonding requirements of the "Retailers' Occupation Tax Act" or that the applicant is not required to be bonded with the Department of Revenue under the "Retailers' Occupation Tax Act";

5. Such other information concerning the business of the applicant as the Secretary of State may by rule or regulation prescribe;

6. An application for a vehicle auctioneer license shall be accompanied by the following license fees: \$50 for applicant's place of business plus \$25 for each additional place of business, if any, to which the application pertains, provided, however, that if such an application is made after July 1 of any year, the license fee shall be \$25 for applicant's place of business plus \$12.50 for each additional place of business, if any, to which the application pertains. License fees shall be returnable only in the event that such application shall be denied by the Secretary of State.

7. A statement that the licensee has irrevocably consented to the appointment of the Secretary of State as its agent for service of process with the State of Illinois. Said service of process shall be accomplished as provided in Section 10-301 of the Illinois Vehicle Code.

(c) Any change which renders no longer accurate any information contained in any application for a vehicle auctioneer shall be amended within thirty days after the occurrence of each change on such form as the Secretary of State may prescribe by rule or regulation, accompanied by an amendatory fee of \$2.

(d) Anything in this Chapter to the contrary notwithstanding, no person shall be licensed as a vehicle auctioneer unless such person shall maintain a place of business as defined in this Chapter.

(e) The Secretary of State shall, within a reasonable time after receipt, examine an application submitted to him under this Section. Unless the Secretary makes a determination that the application submitted to him does not conform to this Section or that grounds exist for a denial of the application under Section 5-501 of this Chapter, he must grant the applicant an original vehicle auctioneer license in writing for his place of business and a supplemental license in writing for each additional place of business, in such form as he may prescribe by rule or regulation which shall include the following:

1. The name of the person licensed;

2. If a corporation, the name and address of its officers or if a sole proprietorship, a partnership, an unincorporated association or any similar form of business organization, the name and address of the proprietor or of each partner, member, officer, director, trustee or manager;

3. Complete address of the place of business of the licensee;

4. In the case of supplemental license, the place of business of the licensee and the place of business to which such supplemental license pertains.

(f) The appropriate instruments evidencing the license or a certified copy thereof, provided by the Secretary of State shall be kept posted, conspicuously, in the place of business of the licensee within the State and in each additional place of business, if any, maintained by such licensee.

(g) Except as provided in subsection (h) of this Section, all vehicle auctioneer licenses granted under this Section expire on December 31 of the calendar year for which they are granted unless sooner revoked under Section 5-501 of this Chapter.

(h) a vehicle auctioneer license may be renewed upon application and payment of the fee required herein, and submission of proof of coverage by an approved bond under the "Retailers' Occupation Tax Act" or proof that applicant is not subject to such bonding requirements, as in the case of an original license, but in case an application for the renewal of an effective license is made during the month of December, the effective license shall remain in force until the application for renewal is granted or denied by the Secretary of State.

(i) Each person licensed as a vehicle auctioneer or a licensed new or used car dealer when auctioning vehicles is required to furnish each purchaser of a motor vehicle the following:

1. A certificate of title properly assigned to the purchaser. If no assignable title is available, the dealer must apply for Illinois title for the purpose of assigning title pursuant to this Section;

2. A statement verified under oath that all identifying numbers on the vehicle agree with those on the certificate of title;

3. A bill of sale properly executed on behalf of such person.

(Source: P.A. 85-1396.)

(625 ILCS 5/6-115) (from Ch. 95 1/2, par. 6-115)
 Sec. 6-115. Expiration of driver's license.

(a) Except as provided elsewhere in this Section, every driver's license issued under the provisions of this Code shall expire 4 years from the date of its issuance, or at such later date, as the Secretary of State may by proper rule and regulation designate, not to exceed 12 calendar months; in the event that an applicant for renewal of a driver's license fails to apply prior to the expiration date of the previous driver's license, the renewal driver's license shall expire 4 years from the expiration date of the previous driver's license, or at such later date as the Secretary of State may by proper rule and regulation designate, not to exceed 12 calendar months.

The Secretary of State may, however, issue to a person not previously licensed as a driver in Illinois a driver's license which will expire not less than 4 years nor more than 5 years from date of issuance, except as provided elsewhere in this Section.

(a-3) Beginning no later than July 1, ~~2028~~ ~~2027~~, the Secretary shall offer to qualified applicants the option to be issued an 8-year driver's license. The Secretary shall submit proposed rules to implement this subsection to the Joint Committee on Administrative Rules no later than January 1, ~~2028~~ ~~2027~~.

(a-5) Every driver's license issued under this Code to an applicant who is not a United States citizen or permanent resident, or an individual who has an approved application for asylum in the United States or has entered the United States in refugee status, shall expire on whichever is the earlier date of the following:

(1) as provided under subsection (a), (f), (g), or (i) of this Section;

(2) on the date the applicant's authorized stay in the United States terminates; or

(3) if the applicant's authorized stay is indefinite and the applicant is applying for a Limited

Term REAL ID compliant driver's license, one year from the date of issuance of the license.

(a-10) Every REAL ID compliant driver's license issued under this Code to an applicant who is not a United States citizen or permanent resident, or an individual who has an approved application for asylum in the United States or has entered the United States in refugee status, shall be marked "Limited Term".

(b) Before the expiration of a driver's license, except those licenses expiring on the individual's 21st birthday, or 3 months after the individual's 21st birthday, the holder thereof may apply for a renewal thereof, subject to all the provisions of Section 6-103, and the Secretary of State may require an examination of the applicant. A licensee whose driver's license expires on his 21st birthday, or 3 months after his 21st birthday, may not apply for a renewal of his driving privileges until he reaches the age of 21.

(c) The Secretary of State shall, 30 days prior to the expiration of a driver's license, forward to each person whose license is to expire a notification of the expiration of said license which may be presented at the time of renewal of said license.

There may be included with such notification information explaining the anatomical gift and Emergency Medical Information Card provisions of Section 6-110. The format and text of such information shall be prescribed by the Secretary.

There shall be included with such notification, for a period of 4 years beginning January 1, 2000 information regarding the Illinois Adoption Registry and Medical Information Exchange established in Section 18.1 of the Adoption Act.

(d) The Secretary may defer the expiration of the driver's license of a licensee, spouse, and dependent children who are living with such licensee while on active duty, serving in the Armed Forces of the United States outside of the State of Illinois, and 120 days thereafter, upon such terms and conditions as the Secretary may prescribe.

(d-5) The Secretary may defer the expiration of the driver's license of a licensee, or of a spouse or dependent children living with the licensee, serving as a civilian employee of the United States Armed Forces or the United States Department of Defense, outside of the State of Illinois, and 120 days thereafter, upon such terms and conditions as the Secretary may prescribe.

(e) The Secretary of State may decline to process a renewal of a driver's license of any person who has not paid any fee or tax due under this Code and is not paid upon reasonable notice and demand.

(f) The Secretary shall provide that each original or renewal driver's license issued to a licensee under 21 years of age shall expire 3 months after the licensee's 21st birthday. Persons whose current driver's licenses expire on their 21st birthday on or after January 1, 1986 shall not renew their driver's license before their 21st birthday, and their current driver's license will be extended for an additional term of 3 months beyond their 21st birthday. Thereafter, the expiration and term of the driver's license shall be governed by subsection (a) hereof.

(g) The Secretary shall provide that each original or renewal driver's license issued to a licensee 81 years of age through age 86 shall expire 2 years from the date of issuance, or at such later date as the Secretary may by rule and regulation designate, not to exceed an additional 12 calendar months. The Secretary shall also provide that each original or renewal driver's license issued to a licensee 87 years of age or older shall expire 12 months from the date of issuance, or at such later date as the Secretary may by rule and regulation designate, not to exceed an additional 12 calendar months.

(h) The Secretary of State shall provide that each special restricted driver's license issued under subsection (g) of Section 6-113 of this Code shall expire 12 months from the date of issuance. The Secretary shall adopt rules defining renewal requirements.

(i) The Secretary of State shall provide that each driver's license issued to a person convicted of a sex offense as defined in Section 2 of the Sex Offender Registration Act shall expire 12 months from the date of issuance or at such date as the Secretary may by rule designate, not to exceed an additional 12 calendar months. The Secretary may adopt rules defining renewal requirements.

(Source: P.A. 102-659, eff. 1-1-22; 103-872, eff. 1-1-25.)

(625 ILCS 5/6-118)

Sec. 6-118. Fees.

(a) The fees for licenses and permits under this Article are as follows:

Original 4-year driver's license	\$30
Original 8-year driver's license issued under subsection (a-3) of Section 6-115	\$60
Original or renewal driver's license issued to 18, 19, and 20 year olds	\$5
All driver's licenses for persons age 69 through age 80	\$5
All driver's licenses for persons age 81 through age 86	\$2
All driver's licenses for persons age 87 or older	\$0
Renewal 4-year driver's license (except for applicants age 69 and older)	\$30
Renewal 8-year driver's license issued under subsection (a-3) of Section 6-115 (except for applicants age 69 and older)	\$60
Original instruction permit issued to persons (except those age 69 and older) who do not hold or have not previously held an Illinois instruction permit or driver's license	\$20
Instruction permit issued to any person holding an Illinois driver's license who wishes a change in classifications, other than at the time of renewal	\$5
Any instruction permit issued to a person age 69 and older	\$5
Instruction permit issued to any person, under age 69, not currently holding a valid Illinois driver's license or instruction permit but who has previously been issued either document in Illinois	\$10
Restricted driving permit	\$8
Monitoring device driving permit	\$8
Duplicate or corrected driver's license or permit	\$5
Duplicate or corrected restricted driving permit	\$5

Duplicate or corrected monitoring device driving permit	\$5
Duplicate driver's license or permit issued to an active-duty member of the United States Armed Forces, the member's spouse, or the dependent children living with the member	\$0
Original or renewal M or L endorsement	\$5

SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

The fees for commercial driver licenses and permits under Article V shall be as follows:

Commercial driver's license: \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund; \$20 for the Motor Carrier Safety Inspection Fund; \$10 for the driver's license; and \$24 for the CDL:	\$60
Renewal commercial driver's license: \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund; \$20 for the Motor Carrier Safety Inspection Fund; \$10 for the driver's license; and \$24 for the CDL:	\$60
Commercial learner's permit issued to any person holding a valid Illinois driver's license for the purpose of changing to a CDL classification: \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund; \$20 for the Motor Carrier Safety Inspection Fund; and \$24 for the CDL classification	\$50
Commercial learner's permit issued to any person holding a valid Illinois CDL for the purpose of making a change in a classification, endorsement or restriction	\$5
CDL duplicate or corrected license	\$5

In order to ensure the proper implementation of the Uniform Commercial Driver License Act, Article V of this Chapter, the Secretary of State is empowered to prorate the \$24 fee for the commercial driver's license proportionate to the expiration date of the applicant's Illinois driver's license.

The fee for any duplicate license or permit shall be waived for any person who presents the Secretary of State's office with a police report showing that his license or permit was stolen.

The fee for any duplicate license or permit shall be waived for any person age 60 or older whose driver's license or permit has been lost or stolen.

No additional fee shall be charged for a driver's license, or for a commercial driver's license, when issued to the holder of an instruction permit for the same classification or type of license who becomes eligible for such license.

The fee for a restricted driving permit under this subsection (a) shall be imposed annually until the expiration of the permit.

(a-5) The fee for a driver's record or data contained therein is \$20 and shall be disbursed as set forth in subsection (k) of Section 2-123 of this Code.

(b) Any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked under Section 3-707, any provision of Chapter 6, Chapter 11, or Section 7-205, 7-303, or 7-702 of the Illinois Safety and Family Financial Responsibility Law of this Code, shall in addition to any other fees required by this Code, pay a reinstatement fee as follows:

Suspension under Section 3-707	\$100
Suspension under Section 11-1431	\$100
Summary suspension under Section 11-501.1	\$250

Suspension under Section 11-501.9	\$250
Summary revocation under Section 11-501.1	\$500
Other suspension.....	\$70
Revocation	\$500

However, any person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 and each suspension or revocation was for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or a similar provision of a local ordinance or a similar out-of-state offense or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012 shall pay, in addition to any other fees required by this Code, a reinstatement fee as follows:

Summary suspension under Section 11-501.1	\$500
Suspension under Section 11-501.9	\$500
Summary revocation under Section 11-501.1	\$500
Revocation	\$500

(c) All fees collected under the provisions of this Chapter 6 shall be disbursed under subsection (g) of Section 2-119 of this Code, except as follows:

1. The following amounts shall be paid into the Drivers Education Fund:

- (A) \$16 of the \$20 fee for an original driver's instruction permit;
- (B) one-sixth of the fee for an original driver's license;
- (C) one-sixth of the fee for a renewal driver's license;
- (D) \$4 of the \$8 fee for a restricted driving permit; and
- (E) \$4 of the \$8 fee for a monitoring device driving permit.

2. \$30 of the \$250 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9 shall be deposited into the Drunk and Drugged Driving Prevention Fund. However, for a person whose license or privilege to operate a motor vehicle in this State has been suspended or revoked for a second or subsequent time for a violation of Section 11-501, 11-501.1, or 11-501.9 of this Code or Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, \$190 of the \$500 fee for reinstatement of a license summarily suspended under Section 11-501.1 or suspended under Section 11-501.9, and \$190 of the \$500 fee for reinstatement of a revoked license shall be deposited into the Drunk and Drugged Driving Prevention Fund. \$190 of the \$500 fee for reinstatement of a license summarily revoked pursuant to Section 11-501.1 shall be deposited into the Drunk and Drugged Driving Prevention Fund.

3. \$6 of the original or renewal fee for a commercial driver's license and \$6 of the commercial learner's permit fee when the permit is issued to any person holding a valid Illinois driver's license, shall be paid into the CDLIS/AAMVAnet/NMVTIS Trust Fund.

4. \$30 of the \$70 fee for reinstatement of a license suspended under the Illinois Safety and Family Financial Responsibility Law shall be paid into the Family Responsibility Fund.

5. The \$5 fee for each original or renewal M or L endorsement shall be deposited into the Cycle Rider Safety Training Fund.

6. \$20 of any original or renewal fee for a commercial driver's license or commercial learner's permit shall be paid into the Motor Carrier Safety Inspection Fund.

7. The following amounts shall be paid into the General Revenue Fund:

- (A) \$190 of the \$250 reinstatement fee for a summary suspension under Section 11-501.1 or a suspension under Section 11-501.9;
- (B) \$40 of the \$70 reinstatement fee for any other suspension provided in subsection (b) of this Section; and
- (C) \$440 of the \$500 reinstatement fee for a first offense revocation and \$310 of the \$500 reinstatement fee for a second or subsequent revocation.

8. Fees collected under paragraph (4) of subsection (d) and subsection (h) of Section 6-205 of this Code; subparagraph (C) of paragraph 3 of subsection (c) of Section 6-206 of this Code; and paragraph (4) of subsection (a) of Section 6-206.1 of this Code, shall be paid into the funds set forth in those Sections.

(d) All of the proceeds of the additional fees imposed by Public Act 96-34 shall be deposited into the Capital Projects Fund.

(e) The additional fees imposed by Public Act 96-38 shall become effective 90 days after becoming law. The additional fees imposed by Public Act 103-8 shall become effective July 1, 2023 and shall be paid into the Secretary of State Special Services Fund.

(f) As used in this Section, "active-duty member of the United States Armed Forces" means a member of the Armed Services or Reserve Forces of the United States or a member of the Illinois National Guard who is called to active duty pursuant to an executive order of the President of the United States, an act of the Congress of the United States, or an order of the Governor.

(Source: P.A. 103-8, eff. 7-1-23; 103-605, eff. 7-1-24; 103-872, eff. 1-1-25; 104-417, eff. 8-15-25; 104-435, eff. 11-21-25.)

(625 ILCS 5/11-1301.2) (from Ch. 95 1/2, par. 11-1301.2)

Sec. 11-1301.2. Special decals for parking; persons with disabilities.

(a) The Secretary of State shall provide for, by administrative rules, the design, size, color, and placement of a person with disabilities motorist decal or device and shall provide for, by administrative rules, the content and form of an application for a person with disabilities motorist decal or device, which shall be used by local authorities in the issuance thereof to a person with temporary disabilities, provided that the decal or device is valid for no more than 90 days, subject to renewal for like periods based upon continued disability, and further provided that the decal or device clearly sets forth the date that the decal or device expires. The application shall include the requirement of an Illinois Identification Card number or a State of Illinois driver's license number or, if the applicant does not have an identification card or driver's license number, then the applicant may use a valid identification number issued by a branch of the U.S. military or a federally issued Medicare or Medicaid identification number. This decal or device may be used by the authorized holder to designate and identify a vehicle not owned or displaying a registration plate or digital registration plate as provided in Sections 3-609 and 3-616 of this Act to designate when the vehicle is being used to transport said person or persons with disabilities, and thus is entitled to enjoy all the privileges that would be afforded a person with disabilities licensed vehicle. Person with disabilities decals or devices issued and displayed pursuant to this Section shall be recognized and honored by all local authorities regardless of which local authority issued such decal or device.

The decal or device shall be issued only upon a showing by adequate documentation that the person for whose benefit the decal or device is to be used has a disability as defined in Section 1-159.1 of this Code and the disability is temporary.

(a-5) The Secretary may provide a disabilities motorist decal or device to an expectant mother during her third trimester. An application under this subsection is subject to application requirements under subsection (a). The decal or device shall be valid for no more than 90 days, and shall clearly set forth the date that the decal or device expires. The decal or device shall be issued only upon a showing by adequate documentation that the expectant mother has entered her third trimester.

(b) The local governing authorities shall be responsible for the provision of such decal or device, its issuance and designated placement within the vehicle. The cost of such decal or device shall be at the discretion of such local governing authority.

(c) The Secretary of State may, pursuant to Section 3-616(c), issue a person with disabilities parking decal or device to a person with disabilities as defined by Section 1-159.1. Any person with disabilities parking decal or device issued by the Secretary of State shall be registered to that person with disabilities in the form to be prescribed by the Secretary of State. The person with disabilities parking decal or device shall not display that person's address. One additional decal or device may be issued to an applicant upon his or her written request and with the approval of the Secretary of State. The written request must include a justification of the need for the additional decal or device.

(c-5) Beginning January 1, 2014, the Secretary shall provide by administrative rule for the issuance of a separate and distinct parking decal or device for persons with disabilities as defined by Section 1-159.1 of this Code and who meet the qualifications under this subsection. The authorized holder of a decal or device issued under this subsection (c-5) shall be exempt from the payment of fees generated by parking in a metered space, a parking area subject to paragraph (10) of subsection (a) of Section 11-209 of this Code, or a publicly owned parking area.

The Secretary shall issue a meter-exempt decal or device to a person with disabilities who: (i) has been issued registration plates or digital registration plates under subsection (a) of Section 3-609 or Section 3-616 of this Code or a special decal or device under this Section, (ii) holds a valid Illinois driver's license, and (iii) is unable to do one or more of the following:

(1) manage, manipulate, or insert coins, or obtain tickets or tokens in parking meters or ticket machines in parking lots, due to the lack of fine motor control of both hands;

(2) reach above his or her head to a height of 42 inches from the ground, due to a lack of finger, hand, or upper extremity strength or mobility;

(3) approach a parking meter due to his or her use of a wheelchair or other device for mobility;
or

(4) walk more than 20 feet due to an orthopedic, neurological, cardiovascular, or lung condition in which the degree of debilitation is so severe that it almost completely impedes the ability to walk.

The application for a meter-exempt parking decal or device shall contain a statement certified by a licensed physician, physician assistant, or advanced practice registered nurse attesting to the permanent nature of the applicant's condition and verifying that the applicant meets the physical qualifications specified in this subsection (c-5).

Notwithstanding the requirements of this subsection (c-5), the Secretary shall issue a meter-exempt decal or device to a person who has been issued registration plates or digital registration plates under Section 3-616 of this Code or a special decal or device under this Section, if the applicant is: (i) the parent of a person with disabilities who is under 18 years of age and incapable of driving; or (ii) the legal guardian of a person with disabilities who is ~~under 18 years of age and~~ incapable of driving.

(d) Replacement decals or devices may be issued for lost, stolen, or destroyed decals upon application and payment of a \$10 fee. The replacement fee may be waived for individuals that have claimed and received a grant under the Senior Citizens and Persons with Disabilities Property Tax Relief Act.

(e) A person classified as a veteran under subsection (e) of Section 6-106 of this Code that has been issued a decal or device under this Section shall not be required to submit evidence of disability in order to renew that decal or device if, at the time of initial application, he or she submitted evidence from his or her physician or the Department of Veterans Affairs that the disability is of a permanent nature. However, the Secretary shall take reasonable steps to ensure the veteran still resides in this State at the time of the renewal. These steps may include requiring the veteran to provide additional documentation or to appear at a Secretary of State facility. To identify veterans who are eligible for this exemption, the Secretary shall compare the list of the persons who have been issued a decal or device to the list of persons who have been issued a vehicle registration plate or digital registration plate for veterans with disabilities under Section 3-609 of this Code, or who are identified as a veteran on their driver's license under Section 6-110 of this Code or on their identification card under Section 4 of the Illinois Identification Card Act.

(Source: P.A. 104-234, eff. 8-15-25.)

(625 ILCS 5/12-610.2)

Sec. 12-610.2. Electronic communication devices.

(a) As used in this Section:

"Electronic communication device" means an electronic device, including, but not limited to, a hand-held wireless telephone, hand-held personal digital assistant, tablet, ~~or~~ a portable or mobile computer, or artificial intelligence smart glasses, but does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.

(b) A person may not operate a motor vehicle on a roadway while using an electronic communication device, including using an electronic communication device to watch or stream video, participate in any video conferencing application, including, but not limited to, Zoom, Microsoft Teams, or WebEx, or access any social media site, including, but not limited to, Facebook, Snapchat, Instagram, or X Twitter. The exemptions in paragraphs (3) and (9) of subsection (d) do not apply when a person is using the electronic communication device to watch or stream video, participate in any video conferencing application, or access any social media site.

(b-5) A person commits aggravated use of an electronic communication device when he or she violates subsection (b) and in committing the violation he or she is involved in a motor vehicle crash that results in great bodily harm, permanent disability, disfigurement, or death to another and the violation is a proximate cause of the injury or death.

(c) A violation of this Section is an offense against traffic regulations governing the movement of vehicles. A person who violates this Section shall be fined a maximum of \$75 for a first offense, \$100 for a second offense, \$125 for a third offense, and \$150 for a fourth or subsequent offense, except that a person who violates subsection (b-5) shall be assessed a minimum fine of \$1,000.

(d) This Section does not apply to:

(1) a law enforcement officer or operator of an emergency vehicle while performing his or her official duties;

(1.5) a first responder, including a volunteer first responder, while operating his or her own personal motor vehicle using an electronic communication device for the sole purpose of receiving information about an emergency situation while en route to performing his or her official duties;

(2) a driver using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during the emergency situation;

(3) a driver using an electronic communication device, except for artificial intelligence smart glasses, in hands-free or voice-operated mode, which may include the use of a headset;

(4) a driver of a commercial motor vehicle reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed 10 inches tall by 10 inches wide in size;

(5) a driver using an electronic communication device while parked on the shoulder of a roadway;

(6) a driver using an electronic communication device, except for artificial intelligence smart glasses, when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park;

(7) a driver using two-way or citizens band radio services;

(8) a driver using two-way mobile radio transmitters or receivers for licensees of the Federal Communications Commission in the amateur radio service;

(9) a driver using an electronic communication device by pressing a single button to initiate or terminate a voice communication; or

(10) a driver using an electronic communication device capable of performing multiple functions, other than a hand-held wireless telephone or hand-held personal digital assistant (for example, a fleet management system, dispatching device, citizens band radio, or music player) for a purpose that is not otherwise prohibited by this Section.

(e) A person convicted of violating subsection (b-5) commits a Class A misdemeanor if the violation resulted in great bodily harm, permanent disability, or disfigurement to another. A person convicted of violating subsection (b-5) commits a Class 4 felony if the violation resulted in the death of another person. (Source: P.A. 102-558, eff. 8-20-21; 102-982, eff. 7-1-23; 103-310, eff. 1-1-24.)

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

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

MOTION IN WRITING

April 14, 2026

I move that the attached list of Senate Bills be placed on the Order of Third Reading - Agreed Bills so that they can be acted on by one roll call by the Senate: (see attached Agreed Bills List)

Sincerely,
s/Don Harmon
Don Harmon
Senate President

Enclosure: 2026 Agreed Bill List

Status	Bill	Sponsor
3rd Reading	SB 1573	Arellano, Jr., L
3rd Reading	SB 2704	Turner, D
3rd Reading	SB 2709	Castro, C

[April 14, 2026]

3rd Reading	SB 2715	Porfirio, M
3rd Reading	SB 2735	Johnson, A
3rd Reading	SB 2749	Morrison, J
3rd Reading	SB 2761	Turner, D
3rd Reading	SB 2769	Joyce , P
3rd Reading	SB 2770	Joyce , P
3rd Reading	SB 2771	Belt, C
3rd Reading	SB 2784	Turner, D
3rd Reading	SB 2806	Lewis, S
3rd Reading	SB 2818	Holmes, L
3rd Reading	SB 2824	Stadelman, S
3rd Reading	SB 2838	Morrison, J
3rd Reading	SB 2857	Faraci, P
3rd Reading	SB 2859	Faraci, P
3rd Reading	SB 2861	Feigenholtz , S
3rd Reading	SB 2872	Morrison, J
3rd Reading	SB 2878	Morrison, J
3rd Reading	SB 2879	Cervantes, J
3rd Reading	SB 2886	Cunningham, B
3rd Reading	SB 2892	Halpin, M
3rd Reading	SB 2910	Morrison, J
3rd Reading	SB 2945	Koehler, D
3rd Reading	SB 2949	Hastings, M
3rd Reading	SB 2953	Halpin, M
3rd Reading	SB 3006	Villanueva , C
3rd Reading	SB 3008	Faraci, P
3rd Reading	SB 3016	DeWitte, D
3rd Reading	SB 3029	Hastings, M
3rd Reading	SB 3044	Stadelman, S
3rd Reading	SB 3049	Morrison, J
3rd Reading	SB 3051	Morrison, J
3rd Reading	SB 3071	Guzmán, G
3rd Reading	SB 3087	Villivalam, R
3rd Reading	SB 3152	Joyce , P
3rd Reading	SB 3164	Morrison, J
3rd Reading	SB 3205	Morrison, J
3rd Reading	SB 3207	Lightford, K
3rd Reading	SB 3213	McClure, S
3rd Reading	SB 3229	Guzmán, G
3rd Reading	SB 3255	Murphy, L
3rd Reading	SB 3275	Joyce , P
3rd Reading	SB 3325	Johnson, A
3rd Reading	SB 3361	Simmons , M
3rd Reading	SB 3365	Hunter, M
3rd Reading	SB 3385	Porfirio, M
3rd Reading	SB 3393	Hastings, M
3rd Reading	SB 3403	Martwick, R
3rd Reading	SB 3434	Turner, D
3rd Reading	SB 3507	Morrison, J
3rd Reading	SB 3545	Halpin, M
3rd Reading	SB 3632	Faraci, P
3rd Reading	SB 3661	Belt, C
3rd Reading	SB 3697	Feigenholtz , S
3rd Reading	SB 3731	Cunningham, B
3rd Reading	SB 3774	Belt, C
3rd Reading	SB 3904	Loughran Cappel, M

3rd Reading	SB 3925	Porfirio, M
3rd Reading	SB 3926	Porfirio, M
3rd Reading	SB 3936	Balkema, C
3rd Reading	SB 3967	Guzmán, G
3rd Reading	SB 4010	McClure, S

The motion prevailed.

And the Chair directed that the Order of Third Reading - Agreed Senate Bills List shall be created and printed on the Senate Calendar.

President Harmon stated for the record that the Secretary of the Senate will have vote intention sheets available where Senators can mark whether they wish to vote No, Present, or Not Vote on a particular bill on the list. If you fail to do so, then the roll call for each bill on the Agreed Bill List will reflect the vote you cast on the Agreed Bill List. Each Senator must file their vote intention sheets no later than 10:00 o'clock a.m., on Thursday, April 16, 2026, with the Secretary of the Senate.

With leave of the Body, President Harmon moved to adopt the process just described.
There being no objection, the motion was granted.

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 807
 Amendment No. 2 to Senate Bill 2772
 Amendment No. 3 to Senate Bill 3336
 Amendment No. 1 to Senate Bill 3379
 Amendment No. 2 to Senate Bill 3750
 Amendment No. 1 to Senate Bill 3772

The following Committee amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Amendment No. 1 to Senate Bill 3950

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS

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

April 14, 2026

Mr. Tim Anderson
 Secretary of the Senate
 Room 058 State House
 Springfield, IL 62706

Dear Mr. Secretary:

[April 14, 2026]

Pursuant to the Senate Rule 2-10, I hereby extend the committee deadline to April 24, 2026 for the following bills:

SB 1347, SB 1700, SB2089, SB3065, SB3116, SB3488, SB3498, SB3625, SB3922, SB 3950, SB4039

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

At the hour of 7:26 o'clock p.m., the Chair announced that the Senate stands adjourned until Wednesday, April 15, 2026, at 11:00 o'clock a.m.

[April 14, 2026]