



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED FOURTH GENERAL
ASSEMBLY**

91ST LEGISLATIVE DAY

THURSDAY, APRIL 16, 2026

12:24 O'CLOCK P.M.

SENATE
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91st Legislative Day

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The Senate met pursuant to adjournment.
Senator Omar Aquino, Chicago, Illinois, presiding.
Prayer by Reverend Joel Jackle-Hugh, First Presbyterian Church, Virden, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Glowiak Hilton moved that reading and approval of the Journal of Wednesday, April 15, 2026, be postponed, pending arrival of the printed Journal.
The motion prevailed.

LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to Senate Bill 3258

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. 4 to Senate Bill 66

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

IDHS Family Recovery Plans Implementation Task Force Report, submitted by the Department of Human Services.

LEC Activity Summary - 1/1/26-3/31/26, submitted by the Legislative Ethics Commission.

FOID Card Review Board Monthly Report - Mar. 2026, submitted by the Illinois FOID Card Review Board.

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 16, 2026

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

Dear Mr. Secretary:

[April 16, 2026]

Pursuant to Rule 2-10, I am cancelling Session scheduled for Friday, April 17, 2026.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader John F. Curran

COMMUNICATION FROM THE MINORITY LEADER

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

DISTRICT OFFICE
1011 STATE ST.
SUITE 205
LEMONT, ILLINOIS 62706
PHONE: 630.914.5733
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ILLINOIS STATE SENATE
JOHN CURRAN
SENATE REPUBLICAN LEADER
41ST SENATE DISTRICT

April 16, 2026

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

Dear Mr. Secretary:

Pursuant to Rule 3-5 (c), I hereby temporarily appoint **Senator Don DeWitte** to replace **Senator Andrew Chesney** as the Minority Spokesperson of the **Senate Environment and Conservation Committee**. This appointment is effective April 16, 2026, and will automatically expire upon adjournment of the **Senate Environment and Conservation Committee** on Thursday, April 16, 2026.

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

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

REPORT FROM STANDING COMMITTEE

Senator Ellman, Chair of the Committee on Environment and Conservation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 6 to Senate Bill 3917

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

[April 16, 2026]

INTRODUCTION OF BILL

SENATE BILL NO. 4188. Introduced by Senator Collins, a bill for AN ACT concerning health.

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

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. 3063

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 3190

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 3632

A bill for AN ACT concerning homicide victims.

HOUSE BILL NO. 4206

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 4262

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 4292

A bill for AN ACT concerning local government.

HOUSE BILL NO. 4361

A bill for AN ACT concerning local government.

Passed the House, April 15, 2026.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 3063, 3190, 3632, 4206, 4262, 4292 and 4361** 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 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. 4372

A bill for AN ACT concerning education.

HOUSE BILL NO. 4382

A bill for AN ACT concerning transportation.

HOUSE BILL NO. 4456

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 4534

A bill for AN ACT concerning children.

HOUSE BILL NO. 4581

A bill for AN ACT concerning education.

HOUSE BILL NO. 4669

A bill for AN ACT concerning government.

HOUSE BILL NO. 4708

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 4843

A bill for AN ACT concerning transportation.

Passed the House, April 15, 2026.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 4372, 4382, 4456, 4534, 4581, 4669, 4708 and 4843** 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 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. 4984

A bill for AN ACT concerning business.

HOUSE BILL NO. 5040

A bill for AN ACT concerning local government.

HOUSE BILL NO. 5078

A bill for AN ACT concerning civil law.

HOUSE BILL NO. 5089

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5091

A bill for AN ACT concerning criminal law.

HOUSE BILL NO. 5099

A bill for AN ACT concerning children.

HOUSE BILL NO. 5198

A bill for AN ACT concerning housing.

HOUSE BILL NO. 5285

A bill for AN ACT concerning Safety.

Passed the House, April 15, 2026.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 4984, 5040, 5078, 5089, 5091, 5099, 5198 and 5285** 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 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. 5424

A bill for AN ACT concerning housing.

HOUSE BILL NO. 5446

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5460

A bill for AN ACT concerning education.

HOUSE BILL NO. 5472

A bill for AN ACT concerning State government.

HOUSE BILL NO. 5492

A bill for AN ACT concerning regulation.

HOUSE BILL NO. 5501

A bill for AN ACT concerning procurement.

HOUSE BILL NO. 5542

A bill for AN ACT concerning local government.

Passed the House, April 15, 2026.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 5424, 5446, 5460, 5472, 5492, 5501 and 5542** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3075, sponsored by Senator Holmes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3190, sponsored by Senator Hastings, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 3632, sponsored by Senator Peters, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4085, sponsored by Senator Chesney, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4203, sponsored by Senator Bryant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4206, sponsored by Senator Martwick, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4292, sponsored by Senator Bryant, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4361, sponsored by Senator Belt, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4372, sponsored by Senator Villanueva, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4375, sponsored by Senator Belt, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4382, sponsored by Senator Arellano Jr., was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4456, sponsored by Senator Edly-Allen, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4534, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4581, sponsored by Senator D. Turner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4669, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4708, sponsored by Senator N. Harris, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4756, sponsored by Senator Guzmán, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4984, sponsored by Senator Villivalam, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5078, sponsored by Senator Edly-Allen, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5089, sponsored by Senator Villanueva, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5091, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5099, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5132, sponsored by Senator E. Harriss, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5198, sponsored by Senator Johnson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5217, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5269, sponsored by Senator Cervantes, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5285, sponsored by Senator Belt, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5384, sponsored by Senator Walker, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5439, sponsored by Senator Joyce, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5446, sponsored by Senator McClure, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5460, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5463, sponsored by Senator Villa, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5472, sponsored by Senator Belt, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5492, sponsored by Senator Collins, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5501, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5542, sponsored by Senator Murphy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5574, sponsored by Senator Koehler, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Collins, **Senate Bill No. 1743** 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 1743

AMENDMENT NO. 1. Amend Senate Bill 1743 by replacing everything after the enacting clause with the following:

"Section 5. The Clinical Psychologist Licensing Act is amended by changing Section 4.3 as follows:
(225 ILCS 15/4.3)

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

Sec. 4.3. Written collaborative agreements.

(a) A written collaborative agreement is required for all prescribing psychologists practicing under a prescribing psychologist license issued pursuant to Section 4.2 of this Act.

(b) A written delegation of prescriptive authority by a collaborating physician may only include medications for the treatment of mental health disease or illness the collaborating physician generally provides to his or her patients in the normal course of his or her clinical practice with the exception of the following:

(1) patients who are less than 17 years of age ~~or over 65 years of age~~;

(2) patients during pregnancy;

(3) patients with serious medical conditions, such as heart disease, cancer, stroke, or seizures, and with developmental disabilities and intellectual disabilities; and

(4) prescriptive authority for benzodiazepine Schedule III controlled substances.

(c) The collaborating physician shall file with the Department notice of delegation of prescriptive authority and termination of the delegation, in accordance with rules of the Department. Upon receipt of this notice delegating authority to prescribe any nonnarcotic Schedule III through V controlled substances, the licensed clinical psychologist shall be eligible to register for a mid-level practitioner controlled substance license under Section 303.05 of the Illinois Controlled Substances Act.

(d) All of the following shall apply to delegation of prescriptive authority:

(1) Any delegation of Schedule III through V controlled substances shall identify the specific controlled substance by brand name or generic name. No controlled substance to be delivered by injection may be delegated. No Schedule II controlled substance shall be delegated.

(2) A prescribing psychologist shall not prescribe narcotic drugs, as defined in Section 102 of the Illinois Controlled Substances Act.

Any prescribing psychologist who writes a prescription for a controlled substance without having valid and appropriate authority may be fined by the Department not more than \$50 per prescription and the Department may take any other disciplinary action provided for in this Act.

All prescriptions written by a prescribing psychologist must contain the name of the prescribing psychologist and his or her signature. The prescribing psychologist shall sign his or her own name.

(e) The written collaborative agreement shall describe the working relationship of the prescribing psychologist with the collaborating physician and shall delegate prescriptive authority as provided in this Act. Collaboration does not require an employment relationship between the collaborating physician and prescribing psychologist. Absent an employment relationship, an agreement may not restrict third-party payment sources accepted by the prescribing psychologist. For the purposes of this Section, "collaboration" means the relationship between a prescribing psychologist and a collaborating physician with respect to the delivery of prescribing services in accordance with (1) the prescribing psychologist's training, education, and experience and (2) collaboration and consultation as documented in a jointly developed written collaborative agreement.

(f) The agreement shall promote the exercise of professional judgment by the prescribing psychologist corresponding to his or her education and experience.

(g) The collaborative agreement shall not be construed to require the personal presence of a physician at the place where services are rendered. Methods of communication shall be available for consultation with the collaborating physician in person or by telecommunications in accordance with established written guidelines as set forth in the written agreement.

(h) Collaboration and consultation pursuant to all collaboration agreements shall be adequate if a collaborating physician does each of the following:

(1) participates in the joint formulation and joint approval of orders or guidelines with the prescribing psychologist and he or she periodically reviews the prescribing psychologist's orders and the services provided patients under the orders in accordance with accepted standards of medical practice and prescribing psychologist practice;

(2) provides collaboration and consultation with the prescribing psychologist in person at least once a month for review of safety and quality clinical care or treatment;

(3) is available through telecommunications for consultation on medical problems, complications, emergencies, or patient referral; and

(4) reviews medication orders of the prescribing psychologist no less than monthly, including review of laboratory tests and other tests as available.

(i) The written collaborative agreement shall contain provisions detailing notice for termination or change of status involving a written collaborative agreement, except when the notice is given for just cause.

(j) A copy of the signed written collaborative agreement shall be available to the Department upon request to either the prescribing psychologist or the collaborating physician.

(k) Nothing in this Section shall be construed to limit the authority of a prescribing psychologist to perform all duties authorized under this Act.

(l) A prescribing psychologist shall inform each collaborating physician of all collaborative agreements he or she has signed and provide a copy of these to any collaborating physician.

(m) No collaborating physician shall enter into more than 3 collaborative agreements with prescribing psychologists.

(Source: P.A. 101-84, eff. 7-19-19.)

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

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

On motion of Senator Stadelman, **Senate Bill No. 2013** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Guzmán, **Senate Bill No. 2202** having been printed, was taken up, read by title a second time.

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

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

AMENDMENT NO. 2 TO SENATE BILL 2202

AMENDMENT NO. 2. Amend Senate Bill 2202 by replacing everything after the enacting clause with the following:

"Section 5. The Public Higher Education Act is amended by adding Section 8 as follows:

(110 ILCS 167/8 new)

Sec. 8. Academic freedom.

(a) The General Assembly finds that public institutions of higher education are a public good that foster the free search for truth, robust debate, and innovation that benefit this State. Academic freedom is indispensable to this mission and therefore warrants statutory protection.

(b) Every faculty member or accredited academic unit of a public institution of higher education has the right to all of the following:

(1) Freedom in teaching, including the right to select pedagogical methods, course materials, and forms of assessment and to present subject matter according to the standards of the discipline.

(2) Freedom in research, including the right to pursue, produce, publish, and disseminate scholarship-related research without institutional or governmental interference, subject only to professional ethics and applicable laws.

(3) Freedom of expression on matters of public concern, including the right to comment on institutional, local, State, or federal policies, whether acting as a citizen or as a member of the academic community, without fear of direct or indirect retaliation. This freedom shall be exercised in a manner consistent with professional academic standards, institutional responsibilities, and applicable laws.

(c) This Section may not be construed to:

(1) prevent this State or a public institution of higher education from enacting generally applicable academic standards, degree requirements, or governance structures developed through established shared-governance processes;

(2) limit compliance with federal or State civil rights, health and safety, or fiduciary laws; or

(3) supersede any valid collective bargaining agreement provisions that afford equal or greater protection.

(d) No State officer or employee, member of a State governing or coordinating board, or institutional administrator may direct, coerce, or penalize any faculty member of a public institution of higher education concerning the specific content, viewpoint, or method of the faculty member's teaching or scholarship, except as permitted under subsection (c).

(e) The governing board of each public institution of higher education shall, within 12 months after the effective date of this amendatory Act of the 104th General Assembly, adopt or amend institutional policies to incorporate the rights and obligations set forth in this Section, in consultation with recognized faculty governance bodies and, if applicable, collective bargaining representatives.

(f) A faculty member, academic unit, or recognized faculty organization aggrieved by a violation of this Section may bring a civil action in the circuit court of any county in which the public institution of higher education is located for injunctive relief, damages, reinstatement, or reasonable attorney's fees.

(g) This Section does not prohibit the imposition of discipline for harassment, threats, or intimidation.

(h) This Section does not prohibit an institution from adopting rules that are designed to prevent hate or violence from being directed at students in a manner that denies them their full participation in the educational process, so long as the rules conform to standards established by the First Amendment of the United States Constitution.

Section 10. The Board of Higher Education Act is amended by adding Sections 9.47 and 9.48 as follows:

(110 ILCS 205/9.47 new)

Sec. 9.47. Academic freedom of speech policies; public institutions.

(a) No later than one year after the effective date of this amendatory Act of the 104th General Assembly, the Board shall adopt rules requiring the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, and the Board of Trustees of Western Illinois University to adopt policies protecting academic freedom of speech. Such policies shall include, but shall not be limited to, all of the following:

(1) Provisions affording the right of faculty members and students to freely discuss the subject matter of teaching material without fear of discipline, up to and including termination of a faculty member.

(2) Provisions affording faculty members and students full freedom in research and in the publication of the results of that research without fear of discipline, up to and including termination of a faculty member.

(3) Provisions affirming the right of faculty members to publicly or privately express views on university policies, practices, governance, or administration without fear of discipline, up to and including termination. Expression on such matters constitutes speech on issues of public concern, and

public universities must not retaliate against faculty members for engaging in such speech as part of their role as public intellectuals, educators, or citizens.

(4) Provisions affirming the right of employees to (i) attend a political rally or public demonstration, as long as the employees are not on duty, or (ii) write or publicly comment on political issues or related topics, as long as the employees are not on duty, without fear of discipline, up to and including termination.

(b) This Section does not prohibit the imposition of discipline for harassment, threats, or intimidation.

(c) This Section does not prohibit an institution from adopting rules that are designed to prevent hate or violence from being directed at students in a manner that denies them their full participation in the educational process, so long as the rules conform to standards established by the First Amendment of the United States Constitution.

(110 ILCS 205/9.48 new)

Sec. 9.48. Academic freedom of speech plans; private institutions.

(a) No later than one year after the effective date of this amendatory Act of the 104th General Assembly, the Board shall adopt and enforce rules requiring private institutions of higher education to develop and implement plans related to academic freedom of speech within a reasonable deadline as established by the Board. Such plans shall include, but shall not be limited to, all of the following:

(1) Provisions affording the right of faculty members and students to freely discuss the subject matter of teaching material without fear of discipline, up to and including termination of a faculty member.

(2) Provisions affording faculty members and students full freedom in research and in the publication of the results of that research without fear of discipline, up to and including termination of a faculty member.

(3) Provisions affirming the right of faculty members to publicly or privately express views on institutional policies, practices, governance, or administration without fear of discipline, up to and including termination. Expression on such matters constitutes speech on issues of public concern, and institutions must not retaliate against faculty members for engaging in such speech as part of their role as public intellectuals, educators, or citizens.

(4) Provisions affirming the right of employees to (i) attend a political rally or public demonstration, as long as the employees are not on duty, or (ii) write or publicly comment on political issues or related topics, as long as the employees are not on duty, without fear of discipline, up to and including termination.

(b) This Section does not prohibit the imposition of discipline for harassment, threats, or intimidation.

(c) This Section does not prohibit an institution from adopting rules that are designed to prevent hate or violence from being directed at students in a manner that denies them their full participation in the educational process, so long as the rules conform to standards established by the First Amendment of the United States Constitution.

(d) This Section does not apply to a private postsecondary educational institution that is controlled by a religious organization to the extent that the application of this Section is inconsistent with the religious tenets of that organization.

Section 15. The Public Community College Act is amended by changing Section 2-12 and by adding Section 3-22.4 as follows:

(110 ILCS 805/2-12) (from Ch. 122, par. 102-12)

Sec. 2-12. The State Board shall have the power and it shall be its duty:

(a) To provide statewide planning for community colleges as institutions of higher education and to coordinate the programs, services and activities of all community colleges in the State so as to encourage and establish a system of locally initiated and administered comprehensive community colleges.

(b) To organize and conduct feasibility surveys for new community colleges or for the inclusion of existing institutions as community colleges and the locating of new institutions.

(c) (Blank).

(c-5) In collaboration with the community colleges, to furnish information for State and federal accountability purposes, promote student and institutional improvement, and meet research needs.

(d) To cooperate with the community colleges in collecting and maintaining student characteristics, enrollment and completion data, faculty and staff characteristics, financial data, admission standards, facility data, and any other issues facing community colleges.

(e) To enter into contracts with other governmental agencies and eligible providers, such as local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public and private nonprofit agencies, libraries, and public housing authorities; to accept federal funds and to plan with other State agencies when appropriate for the allocation of such federal funds for instructional programs and student services including such funds for adult education and literacy, vocational and career and technical education, and retraining as may be allocated by state and federal agencies for the aid of community colleges. To receive, receipt for, hold in trust, expend and administer, for all purposes of this Act, funds and other aid made available by the federal government or by other agencies public or private, subject to appropriation by the General Assembly. The changes to this subdivision (e) made by Public Act 91-830 apply on and after July 1, 2001.

(f) To determine efficient and adequate standards for community colleges for the physical plant, heating, lighting, ventilation, sanitation, safety, equipment and supplies, instruction and teaching, curriculum, library, operation, maintenance, and administration and supervision.

(g) To determine the standards for establishment of community colleges and the proper location of the site in relation to existing institutions of higher education offering academic, occupational and technical training curricula, possible enrollment, assessed valuation, industrial, business, agricultural, and other conditions reflecting educational needs in the area to be served; however, no community college may be considered as being recognized nor may the establishment of any community college be authorized in any district which shall be deemed inadequate for the maintenance, in accordance with the desirable standards thus determined, of a community college offering the basic subjects of general education and suitable vocational and semiprofessional and technical curricula.

(h) To approve or disapprove new units of instruction, research or public service as defined in Section 3-25.1 of this Act submitted by the boards of trustees of the respective community college districts of this State. The State Board may discontinue programs which fail to reflect the educational needs of the area being served. The community college district shall be granted 60 days following the State Board staff recommendation and prior to the State Board's action to respond to concerns regarding the program in question. If the State Board acts to abolish a community college program, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act.

(i) To review and approve or disapprove any contract or agreement that community colleges enter into with any organization, association, educational institution, or government agency to provide educational services for academic credit. The State Board is authorized to monitor performance under any contract or agreement that is approved by the State Board. If the State Board does not approve a particular contract or agreement, the community college district has a right to appeal the decision in accordance with administrative rules promulgated by the State Board under the provisions of the Illinois Administrative Procedure Act. Nothing in this subdivision (i) shall be interpreted as applying to collective bargaining agreements with any labor organization.

(j) To establish guidelines regarding sabbatical leaves.

(k) (Blank).

(l) (Blank).

(m) (Blank).

(n) To create and participate in the conduct and operation of any corporation, joint venture, partnership, association, or other organizational entity that has the power: (i) to acquire land, buildings, and other capital equipment for the use and benefit of the community colleges or their students; (ii) to accept gifts and make grants for the use and benefit of the community colleges or their students; (iii) to aid in the instruction and education of students of community colleges; and (iv) to promote activities to acquaint members of the community with the facilities of the various community colleges.

(o) To ensure the effective teaching of adult learners and to prepare them for success in employment and lifelong learning by administering a network of providers, programs, and services to provide classes for the instruction of those individuals who (i) are 16 years of age or older, are not

enrolled or required to be enrolled in a secondary school under State law, and are basic-skills deficient, (ii) do not have a secondary school diploma or its recognized equivalent and have not achieved an equivalent level of education, or (iii) are an English language learner. Classes in adult education may include adult basic education, adult secondary and high school equivalency testing education, high school credit, literacy, English language acquisition, integrated education and training in coordination with vocational skills training, and any other instruction designed to prepare adult students to function successfully in society and to experience success in postsecondary education and employment.

(p) To supervise the administration of adult education and literacy programs, to establish the standards for such courses of instruction and supervise the administration thereof, to contract with other State and local agencies and eligible providers of demonstrated effectiveness, such as local educational agencies, community-based organizations, volunteer literacy organizations, institutions of higher education, public and private nonprofit agencies, libraries, public housing authorities, and nonprofit institutions for the purpose of promoting and establishing classes for instruction under these programs, to contract with other State and local agencies to accept and expend appropriations for educational purposes to reimburse local eligible providers for the cost of these programs, and to establish an advisory council consisting of all categories of eligible providers; agency partners, such as the State Board of Education, the Department of Human Services, the Department of Employment Security, the Department of Commerce and Economic Opportunity, and the Secretary of State literacy program; and other stakeholders to identify, deliberate, and make recommendations to the State Board on adult education policy and priorities. The State Board shall support statewide geographic distribution; diversity of eligible providers; and the adequacy, stability, and predictability of funding so as not to disrupt or diminish, but rather to enhance, adult education and literacy services.

(q) No later than one year after the effective date of this amendatory Act of the 104th General Assembly, to adopt and enforce rules that ensure that all faculty members of a community college are entitled to freedom in the classroom in discussing their subject, including ensuring that such faculty members have the right to introduce into their teaching matters related to the faculty members' subject or the education of their students in that subject within the discourse of the faculty members' discipline. Such freedom shall be extended within the confines of course outcomes, degree or program requirements, and accreditation requirements.

(r) No later than one year after the effective date of this amendatory Act of the 104th General Assembly, to adopt and enforce rules that ensure that faculty members and students at a community college are entitled to full freedom in research and in the publication of the results of that research.

(Source: P.A. 103-940, eff. 8-9-24.)

(110 ILCS 805/3-22.4 new)

Sec. 3-22.4. Academic freedom of speech.

(a) No later than one year after the effective date of this amendatory Act of the 104th General Assembly, to adopt and enforce all necessary rules that are at least as stringent as those established by the State Board pursuant to subsections (q) and (r) of Section 2-12 to ensure that:

(1) all faculty members are entitled to freedom in the classroom in discussing their subject, including ensuring that such faculty members have the right to introduce into their teaching matters related to the faculty members' subject or the education of their students in that subject within the discourse of the faculty members' discipline; such freedom shall be extended within the confines of course outcomes, degree or program requirements, and accreditation requirements;

(2) all faculty members and students are entitled to full freedom in research and in the publication of the results of that research;

(3) all faculty members are entitled to publicly or privately express views on community college policies, practices, governance, or administration without fear of discipline, up to and including termination. Expression on such matters constitutes speech on issues of public concern, and community colleges must not retaliate against faculty members for engaging in such speech as part of their role as public intellectuals, educators, or citizens; and

(4) all employees are entitled to (i) attend a political rally or public demonstration, as long as the employees are not on duty, or (ii) write or publicly comment on political issues or related topics, as long as the employees are not on duty, without fear of discipline, up to and including termination.

(b) This Section does not prohibit the imposition of discipline for harassment, threats, or intimidation.

(c) This Section does not prohibit an institution from adopting rules that are designed to prevent hate violence from being directed at students in a manner that denies them their full participation in the educational process, so long as the rules conform to standards established by the First Amendment of the United States Constitution."

Senator Guzmán offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 2202

AMENDMENT NO. 3. Amend Senate Bill 2202, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Academic Freedom of Expression Act.

Section 3. Findings and legislative intent.

(a) The General Assembly finds that:

(1) Institutions of higher education are essential forums for the open exchange of ideas that foster the free search for truth, robust debate, and innovation, which benefits this State. Academic freedom is indispensable to this mission and therefore warrants statutory protection.

(2) Academic freedom serves not only individual interests but also the broader public interest by safeguarding the independence and integrity of teaching, learning, and scholarship, which are vital to the economic and cultural well-being of the State.

(3) The exercise of academic freedom may be threatened by external pressures, including actions by public officials or governmental bodies that seek to influence or restrict teaching, research, or expression. Such actions undermine the mission of higher education and are contrary to the public interest.

(b) The General Assembly encourages the governing board of each post-secondary educational institution, as defined in the Private College Act, to adopt or amend institutional policies that incorporate, at a minimum, the academic freedoms, rights, and obligations for public institutions of higher education set forth in Section 8 of the Public Higher Education Act. The General Assembly further encourages each private post-secondary educational institution to make the institution's policies on academic freedom, if applicable, publicly available on the institution's website.

Section 5. The Public Higher Education Act is amended by adding Section 8 as follows:

(110 ILCS 167/8 new)

Sec. 8. Academic freedom.

(a) As used in this Section:

"Harassment" means conduct directed at a particular individual or group that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a public institution of higher education's educational programs or activities, consistent with applicable federal and State law.

"Hate crime" has the meaning given to that term in Section 12-7.1 of the Criminal Code of 2012.

"Intimidation" means a course of conduct directed at a particular individual or group that would cause a reasonable person to fear for their physical safety or the physical safety of others and that is not protected by the First Amendment to the Constitution of the United States, consistent with applicable federal and State law.

"Threat" means a statement or course of conduct made with knowledge or reckless disregard that a reasonable person would interpret as a serious expression of intent to commit an act of unlawful violence against a particular individual or group, consistent with applicable federal and State law.

(b) Every faculty member of a public institution of higher education has the right to all of the following, without fear of direct or indirect retaliation by the institution or discipline up to and including termination:

(1) Freedom in teaching, including the right to select pedagogical methods, course materials, and forms of assessment and to present and freely discuss the subject matter of course material, as long as such methods, materials, forms of assessment, and discussions are relevant to the course content and conducted consistent with lawful institutional policies and standards of the discipline.

(2) Freedom in research, including the right to pursue, produce, publish, and disseminate scholarship-related research, subject only to professional ethics standards, lawful institutional policies and responsibilities, contractual obligations, and applicable laws and regulatory requirements governing research activities.

(3) Freedom of expression, where the faculty member is acting in an individual capacity and does not purport to represent the views of the institution unless the faculty member is authorized to do so, on matters of public concern, including the right to comment on institutional, local, State, or federal policies, practices, governance, or administration. This freedom shall be exercised in a manner consistent with applicable laws.

(4) Freedom to attend a political rally or public demonstration, as long as the faculty member is not absent from class or other official responsibilities, and to write or publicly comment on political issues or related topics, as long as the faculty member is acting in an individual capacity outside the scope of their assigned institutional duties and without the use of institutional resources, consistent with applicable law and lawful institutional policies.

Nothing in this Section shall be construed to create an inconsistent or unequal application of lawful institutional policies governing expressive activity among faculty, staff, or other employees of the public institution of higher education, except as necessary to account for differences in assigned institutional responsibilities.

(c) Every student of a public institution of higher education has the right to all of the following, without fear of direct or indirect retaliation by the institution or discipline:

(1) Freedom to freely discuss the subject matter of teaching material in the classroom, as long as such discussion is relevant to the course content, conducted consistent with lawful institutional policies, and in conformity with the class management expectations established for the applicable class.

(2) Freedom in research, including the right to pursue, produce, publish, and disseminate scholarship-related research, subject only to applicable ethics standards, lawful institutional policies, contractual obligations, and laws and regulatory requirements governing research activities.

(3) Freedom of expression on matters of public concern, including the right to comment on institutional, local, State, or federal policies, practices, governance, or administration. This freedom shall be exercised in a manner consistent with lawful institutional policies and applicable laws.

(4) Freedom to attend a political rally or public demonstration and to write or publicly comment on political issues or related topics.

(d) This Section may not be construed to:

(1) prevent this State or a public institution of higher education from enacting generally applicable academic standards, degree requirements, or governance structures developed through established shared-governance processes;

(2) limit compliance with federal or State civil rights, health and safety, or fiduciary laws;

(3) supersede any valid collective bargaining agreement provisions that afford equal or greater protection;

(4) limit the authority of an institution of higher education to regulate the speech or expressive conduct of faculty, staff, or students to the extent permitted under federal or State law, including through reasonable content-neutral and viewpoint-neutral time, place, and manner restrictions and the regulation of speech in nonpublic forums;

(5) restrict an institution's ability to clarify that speech or expression by faculty, staff, or students is undertaken in an individual capacity and does not represent the views of the institution unless the faculty, staff, or students were expressly authorized by the institution; or

(6) prohibit an institution from adopting and enforcing policies addressing unlawful harassment, discrimination, threats, intimidation, hate crimes, or conduct that materially and substantially disrupts the functioning of the institution or that interferes with the rights of others to participate in or benefit from institutional programs or activities, consistent with federal and State law.

(e) No State officer or employee, member of a State governing or coordinating board, or institutional administrator may penalize any faculty member of a public institution of higher education concerning the specific content of, viewpoints presented in, or method of the faculty member's teaching or scholarship, except as necessary to ensure that a faculty member's teaching or scholarship is reasonably germane to the faculty member's field or fields of study or assigned instructional responsibilities and that non-germane speech does not comprise a substantial portion of classroom instruction or to comply with applicable law.

(f) The governing board of each public institution of higher education shall, by July 1, 2027, adopt or amend institutional policies to incorporate, at a minimum, the rights and obligations set forth in this amendatory Act of the 104th General Assembly, in consultation with recognized faculty governing bodies and, if applicable, collective bargaining representatives.

Each public institution of higher education shall make the institution's policies on academic freedom publicly available on the institution's website by July 1, 2027 and within 60 days after any subsequent revisions to the policy.

Each public institution of higher education shall submit the institution's policies on academic freedom to the Illinois Community College Board or the Board of Higher Education, whichever is applicable, by July 1, 2027 and within 60 days after any subsequent revisions to the policy. The Illinois Community College Board and the Board of Higher Education shall make the policies received from each institution under this subsection (f) publicly available on their respective websites by January 1, 2028 and within 60 days after any subsequent revisions to the policy. The Illinois Community College Board and the Board of Higher Education shall each submit to the General Assembly a report compiling the policies received from each institution under this subsection (f) by January 1, 2028.

(g) Alleged violations of this Section shall first be addressed through an institution's established grievance or administrative review procedures or applicable collective bargaining agreements. A faculty member or student of an institution at the time that the institution has made or enforced any rule in violation of this Section may commence a civil action to obtain appropriate injunctive and declaratory relief as determined by a court if the faculty member or student has first exhausted applicable institutional grievance or administrative review procedures or remedies available under any applicable collective bargaining agreement. Upon motion, the court shall award reasonable attorney's fees and costs, including expert witness fees and other litigation expenses, to a prevailing plaintiff in a civil action brought under this Section. Nothing in this Section shall be construed to create a private right of action for damages against an institution.

Section 15. The Public Community College Act is amended by changing Section 2-15 as follows:

(110 ILCS 805/2-15) (from Ch. 122, par. 102-15)

Sec. 2-15. Recognition. The State Board shall grant recognition to community colleges which maintain equipment, courses of study, standards of scholarship and other requirements set by the State Board. Application for recognition shall be made to the State Board. The State Board shall set the criteria by which the community colleges shall be judged and through the executive officer of the State Board shall arrange for an official evaluation of the community colleges and shall grant recognition of such community colleges as may meet the required standards.

Recognition shall include a review of a community college's compliance with Section 8 of the Public Higher Education Act. Recognition shall also include a review of compliance with Section 3-65 of this Act and other applicable State and federal laws regarding employment contracts and compensation. Annually, the State Board shall convene an advisory committee to review the findings and make recommendations for changes or additions to the laws or the review procedures.

If a community college district fails to meet the recognition standards set by the State Board, and if the district, in accordance with: (a) generally accepted Government Auditing Standards issued by the Comptroller General of the United States, (b) auditing standards established by the American Institute of Certified Public Accountants, or (c) other applicable State and federal standards, is found by the district's auditor or the State Board working in cooperation with the district's auditor to have material deficiencies in the design or operation of financial control structures that could adversely affect the district's financial integrity and stability, or is found to have misused State or federal funds and jeopardized its participation in State or federal programs, the State Board may, notwithstanding any laws to the contrary, implement one or more of the following emergency powers:

(1) To direct the district to develop and implement a plan that addresses the budgetary, programmatic, and other relevant factors contributing to the need to implement emergency measures. The State Board shall assist in the development and shall have final approval of the plan.

(2) To direct the district to contract for educational services in accordance with Section 3-40. The State Board shall assist in the development and shall have final approval of any such contractual agreements.

(3) To approve and require revisions of the district's budget.

(4) To appoint a Financial Administrator to exercise oversight and control over the district's budget. The Financial Administrator shall serve at the pleasure of the State Board and may be an individual, partnership, corporation, including an accounting firm, or other entity determined by the State Board to be qualified to serve, and shall be entitled to compensation. Such compensation shall be provided through specific appropriations made to the State Board for that express purpose.

(5) To develop and implement a plan providing for the dissolution or reorganization of the district if in the judgment of the State Board the circumstances so require. All local funds under the control of the State Board as a result of the dissolution or reorganization of the district shall be expended by the State Board for purposes of providing educational services in the territory from which those local funds were acquired.

(Source: P.A. 103-940, eff. 8-9-24.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 2 and 3 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

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

On motion of Senator Faraci, **Senate Bill No. 2858** 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 2858

AMENDMENT NO. 1. Amend Senate Bill 2858 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 3-421 as follows:

(625 ILCS 5/3-421) (from Ch. 95 1/2, par. 3-421)

Sec. 3-421. Right of reassignment.

(a) Every natural person shall have the right of reassignment of the license number issued to him during the current registration plate or digital registration plate term, for the ensuing registration plate or digital registration plate term, provided his or her application for reassignment is received in the Office of the Secretary of State on or before September 30 of the final year of the registration plate or digital registration plate term as to a vehicle registered on a calendar year, and on or before March 31 as to a vehicle registered on a fiscal year. The right of reassignment shall apply to every natural person under the staggered registration system provided the application for reassignment is received in the Office of the Secretary of State by the 1st day of the month immediately preceding the applicant's month of expiration.

In addition, every natural person shall have the right of reassignment of the license number issued to him for a two-year registration, for the ensuing two-year period. Where the two-year period is for two calendar years, the application for reassignment must be received by the Secretary of State on or before September 30th of the year preceding commencement of the two-year period. Where the two-year period is for two fiscal years commencing on July 1, the application for reassignment must be received by the Secretary of State on or before April 30th immediately preceding commencement of the two-year period.

(b) Notwithstanding the above provision, the Secretary of State shall, subject to the existing right of reassignment, have the authority to designate new specific combinations of numerical, alpha-numerical, and numerical-alpha licenses for vehicles registered on a calendar year or on a fiscal year, whether the license be issued for one or more years. The new combinations so specified shall not be subject to the right of reassignment, and no right of reassignment thereto may at any future time be acquired.

~~(c) A person may reassign his or her registration plate to another person. If a person has a registration plate in his or her name and seeks to reassign the registration plate to his or her spouse, the Secretary shall waive any transfer fee or vanity or personalized registration plate fee upon both spouses signing a form authorizing the reassignment of registration.~~

(c-1) (Blank.) ~~If a person who has a registration plate in his or her name seeks to reassign the registration plate to his or her child, the Secretary shall waive any transfer fee or vanity or personalized registration plate fee.~~

(Source: P.A. 101-395, eff. 8-16-19; 101-611, eff. 6-1-20; 102-558, eff. 8-20-21.)".

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

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

On motion of Senator Ellman, **Senate Bill No. 3037** having been printed, was taken up, read by title a second time.

Committee Amendment Nos. 1 and 2 were held in the Committee on State Government.

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

AMENDMENT NO. 3 TO SENATE BILL 3037

AMENDMENT NO. 3. Amend Senate Bill 3037 by replacing everything after the enacting clause with the following:

"Section 5. The Energy Efficient Building Act is amended by changing Sections 10 and 55 as follows:
(20 ILCS 3125/10)

Sec. 10. Definitions. In this Act:

"Agency" means the Environmental Protection Agency.

"ANSI/IES standards" has the meaning given to that term in the Responsible Outdoor Lighting Control Act.

"Board" means the Capital Development Board.

"Building" includes both residential buildings and commercial buildings.

"Code" means the latest published edition of the International Code Council's International Energy Conservation Code as adopted by the Board, including any published supplements adopted by the Board and any amendments and adaptations to the Code that are made by the Board.

"Commercial building" means any building except a building that is a residential building, as defined in this Section.

"Light trespass" has the meaning given to that term in the Responsible Outdoor Lighting Control Act.

"Lumen" has the meaning given to that term in the Responsible Outdoor Lighting Control Act.

"Luminaire" has the meaning given to that term in the Responsible Outdoor Lighting Control Act.

"Lux" has the meaning given to that term in the Responsible Outdoor Lighting Control Act.

"Municipality" means any city, village, or incorporated town.

"Nadir" has the meaning given to that term in the Responsible Outdoor Lighting Control Act.

"Residential building" means (i) a detached one-family or 2-family dwelling or (ii) any building that is 3 stories or less in height above grade that contains multiple dwelling units, in which the occupants reside on a primarily permanent basis, such as a townhouse, a row house, an apartment house, a convent, a monastery, a rectory, a fraternity or sorority house, a dormitory, and a rooming house; provided, however, that when applied to a building located within the boundaries of a municipality having a population of 1,000,000 or more, the term "residential building" means a building containing one or more dwelling units, not exceeding 4 stories above grade, where occupants are primarily permanent.

"Site energy index" means a scalar published by the Pacific Northwest National Laboratories representing the ratio of the site energy performance of an evaluated code compared to the site energy performance of the 2006 International Energy Conservation Code. A "site energy index" includes only conservation measures and excludes net energy credit for any on-site or off-site energy production. (Source: P.A. 101-144, eff. 7-26-19; 102-444, eff. 8-20-21; 102-662, eff. 9-15-21; 102-813, eff. 5-13-22; revised 7-7-25.)

(20 ILCS 3125/55)

Sec. 55. Illinois Stretch Energy Code.

(a) The Board, in consultation with the Agency, shall create and adopt the Illinois Stretch Energy Code, to allow municipalities and projects authorized or funded by the Board to achieve more energy efficiency in buildings than the Illinois Energy Conservation Code through a consistent pathway across the

State. The Illinois Stretch Energy Code shall be available for adoption by any municipality and shall set minimum energy efficiency requirements, taking the place of the Illinois Energy Conservation Code within any municipality that adopts the Illinois Stretch Energy Code.

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

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

(d) Development of the Illinois Stretch Energy Code shall be completed and available for adoption by municipalities by June 30, 2024.

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

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

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

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

(3) include stretch energy codes with site energy index standards and adoption dates as follows: by no later than June 30, 2024, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.50 of the 2006 International Energy Conservation Code; by no later than December 31, 2026, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.40 of the 2006 International Energy Conservation Code, unless the Board identifies unanticipated burdens associated with the stretch energy code adopted in 2023 or 2024, in which case the Board may adopt a stretch energy code with a site energy index no greater than 0.42 of the 2006 International Energy Conservation Code, provided that the more relaxed standard has a site energy index that is at least 0.05 more restrictive than the 2024 International Energy Conservation Code; by no later than December 31, 2029, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.33 of the 2006 International Energy Conservation Code, unless the Board identifies unanticipated burdens associated with the stretch energy code adopted in 2025, in which case the Board may adopt a stretch energy code with a site energy index no greater than 0.35 of the 2006 International Energy Conservation Code, but only if that more relaxed standard has a site energy index that is at least 0.05 more restrictive than the 2027 International Energy Conservation Code; and by no later than December 31, 2032, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.25 of the 2006 International Energy Conservation Code.

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

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

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

(3) include stretch energy codes with site energy index standards and adoption dates as follows: by no later than June 30, 2024, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.60 of the 2006 International Energy Conservation Code; by no later than December 31, 2026, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.50 of the 2006 International Energy Conservation Code; by no later than December 31, 2029, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.44 of the 2006 International Energy Conservation Code; and by no later than December 31, 2032, the Board shall create and adopt a stretch energy code with a site energy index no greater than 0.39 of the 2006 International Energy Conservation Code; and -

(4) include stretch energy codes with ANSI/IES standards and adoption dates, such that, by no later than December 31, 2029, the Board shall create and adopt a stretch energy code with:

(A) outdoor lighting standards of no more than 25% above ANSI/IES standards;

(B) light trespass from luminaire light sources measuring no greater than 0.1 lux;

(C) luminaires emitting more than 1,000 lumens emitting no more than 5% of their total lumen output above 80 degrees from nadir; and

(D) maximum correlated color temperature of outdoor luminaires of 3,000 Kelvin.

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

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

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

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

(C) recommend complementary programs or policies; and

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

(2) as ~~As~~ part of its deliberations, the Illinois Energy Code Advisory Council shall actively solicit input from other energy code stakeholders and interested parties.

(Source: P.A. 103-4, eff. 5-31-23; 104-315, eff. 1-1-26.)".

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 3329** 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 3329

AMENDMENT NO. 1. Amend Senate Bill 3329 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 2012 is amended by changing Section 24-3 as follows:

(720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

Sec. 24-3. Unlawful sale or delivery of firearms.

(A) A person commits the offense of unlawful sale or delivery of firearms when he or she knowingly does any of the following:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age.

(b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent.

(c) Sells or gives any firearm to any narcotic addict.

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction.

(e) Sells or gives any firearm to any person who has been a patient in a mental institution within the past 5 years. In this subsection (e):

"Mental institution" means any hospital, institution, clinic, evaluation facility, mental health center, or part thereof, which is used primarily for the care or treatment of persons with mental illness.

"Patient in a mental institution" means the person was admitted, either voluntarily or involuntarily, to a mental institution for mental health treatment, unless the treatment was voluntary and solely for an alcohol abuse disorder and no other secondary substance abuse disorder or mental illness.

(f) Sells or gives any firearms to any person who is a person with an intellectual disability.

(g) Delivers any firearm, incidental to a sale, without withholding delivery of the firearm for at least 72 hours after application for its purchase has been made, or delivers a stun gun or taser, incidental to a sale, without withholding delivery of the stun gun or taser for at least 24 hours after application for its purchase has been made. However, this paragraph (g) does not apply to: (1) the sale of a firearm to a law enforcement officer if the seller of the firearm knows that the person to whom he

or she is selling the firearm is a law enforcement officer or the sale of a firearm to a person who desires to purchase a firearm for use in promoting the public interest incident to his or her employment as a bank guard, armed truck guard, or other similar employment; (2) a mail order sale of a firearm from a federally licensed firearms dealer to a nonresident of Illinois under which the firearm is mailed to a federally licensed firearms dealer outside the boundaries of Illinois; (3) (blank); (4) the sale of a firearm to a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923); or (5) the transfer or sale of any rifle, shotgun, or other long gun to a resident registered competitor or attendee or non-resident registered competitor or attendee by any dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 at competitive shooting events held at the World Shooting Complex sanctioned by a national governing body. For purposes of transfers or sales under subparagraph (5) of this paragraph (g), the Department of Natural Resources shall give notice to the Illinois State Police at least 30 calendar days prior to any competitive shooting events at the World Shooting Complex sanctioned by a national governing body. The notification shall be made on a form prescribed by the Illinois State Police. The sanctioning body shall provide a list of all registered competitors and attendees at least 24 hours before the events to the Illinois State Police. Any changes to the list of registered competitors and attendees shall be forwarded to the Illinois State Police as soon as practicable. The Illinois State Police must destroy the list of registered competitors and attendees no later than 30 days after the date of the event. Nothing in this paragraph (g) relieves a federally licensed firearm dealer from the requirements of conducting a NICS background check through the Illinois Point of Contact under 18 U.S.C. 922(t). For purposes of this paragraph (g), "application" means when the buyer and seller reach an agreement to purchase a firearm. For purposes of this paragraph (g), "national governing body" means a group of persons who adopt rules and formulate policy on behalf of a national firearm sporting organization.

(h) While holding any license as a dealer, importer, manufacturer or pawnbroker under the federal Gun Control Act of 1968, manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph, (1) "firearm" is defined as in the Firearm Owners Identification Card Act; and (2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which such a firearm can be assembled.

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Sells or gives a firearm while engaged in the business of selling firearms at wholesale or retail without being licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923). In this paragraph (j):

A person "engaged in the business" means a person who devotes time, attention, and labor to engaging in the activity as a regular course of trade or business with the principal objective of livelihood and profit, but does not include a person who makes occasional repairs of firearms or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms.

"With the principal objective of livelihood and profit" means that the intent underlying the sale or disposition of firearms is predominantly one of obtaining livelihood and pecuniary gain, as opposed to other intents, such as improving or liquidating a personal firearms collection; however, proof of profit shall not be required as to a person who engages in the regular and repetitive purchase and disposition of firearms for criminal purposes or terrorism.

(k) Sells or transfers ownership of a firearm to a person who does not display to the seller or transferor of the firearm either: (1) a currently valid Firearm Owner's Identification Card that has previously been issued in the transferee's name by the Illinois State Police under the provisions of the Firearm Owners Identification Card Act; or (2) a currently valid license to carry a concealed firearm that has previously been issued in the transferee's name by the Illinois State Police under the Firearm Concealed Carry Act. This paragraph (k) does not apply to the transfer of a firearm to a person who is exempt from the requirement of possessing a Firearm Owner's Identification Card under Section 2 of the Firearm Owners Identification Card Act. For the purposes of this Section, a currently valid Firearm Owner's Identification Card or license to carry a concealed firearm means receipt of an

approval number issued in accordance with subsection (a-10) of Section 3 or Section 3.1 of the Firearm Owners Identification Card Act.

(1) In addition to the other requirements of this paragraph (k), all persons who are not federally licensed firearms dealers must also have complied with subsection (a-10) of Section 3 of the Firearm Owners Identification Card Act by determining the validity of a purchaser's Firearm Owner's Identification Card.

(2) All sellers or transferors who have complied with the requirements of subparagraph (1) of this paragraph (k) shall not be liable for damages in any civil action arising from the use or misuse by the transferee of the firearm transferred, except for willful or wanton misconduct on the part of the seller or transferor.

(l) Not being entitled to the possession of a firearm, delivers the firearm, knowing it to have been stolen or converted. It may be inferred that a person who possesses a firearm with knowledge that its serial number has been removed or altered has knowledge that the firearm is stolen or converted.

(m) Gives a firearm or firearm parts to or allows a respondent in an order of protection action access to a firearm or firearm parts in violation of a court order under Section 112A-14(b)(14.5)(E) or (F) of the Code of Criminal Procedure of 1963 or subparagraph (D) or (E) of paragraph (14.5) of subsection (b) of Section 214 of the Illinois Domestic Violence Act of 1986.

(B) Paragraph (h) of subsection (A) does not include firearms sold within 6 months after enactment of Public Act 78-355 (approved August 21, 1973, effective October 1, 1973), nor is any firearm legally owned or possessed by any citizen or purchased by any citizen within 6 months after the enactment of Public Act 78-355 subject to confiscation or seizure under the provisions of that Public Act. Nothing in Public Act 78-355 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of that Public Act.

(C) Sentence.

(1) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (c), (e), (f), (g), or (h) of subsection (A) commits a Class 4 felony.

(2) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (b) or (i) of subsection (A) commits a Class 3 felony.

(3) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) of subsection (A) commits a Class 2 felony.

(4) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony. Any person convicted of a second or subsequent violation of unlawful sale or delivery of firearms in violation of paragraph (a), (b), or (i) of subsection (A) in any school, on the real property comprising a school, within 1,000 feet of the real property comprising a school, at a school related activity, or on or within 1,000 feet of any conveyance owned, leased, or contracted by a school or school district to transport students to or from school or a school related activity, regardless of the time of day or time of year at which the offense was committed, commits a Class 1 felony for which the sentence shall be a term of imprisonment of no less than 5 years and no more than 15 years.

(5) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A) in residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, in a public park, in a courthouse, on residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development, on the real property comprising any public park, on the real property comprising any courthouse, or on any public way within 1,000 feet of the real property comprising any public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 2 felony.

(6) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (j) of subsection (A) commits a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(7) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (k) of subsection (A) commits a Class 4 felony, except that a violation of subparagraph (1) of paragraph (k) of subsection (A) shall not be punishable as a crime or petty offense. A third or subsequent conviction for a violation of paragraph (k) of subsection (A) is a Class 1 felony.

(8) A person 18 years of age or older convicted of unlawful sale or delivery of firearms in violation of paragraph (a) or (i) of subsection (A), when the firearm that was sold or given to another person under 18 years of age was used in the commission of or attempt to commit a forcible felony, shall be fined or imprisoned, or both, not to exceed the maximum provided for the most serious forcible felony so committed or attempted by the person under 18 years of age who was sold or given the firearm.

(9) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (d) of subsection (A) commits a Class 3 felony.

(10) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 2 felony if the delivery is of one firearm. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class 1 felony if the delivery is of not less than 2 and not more than 5 firearms at the same time or within a one-year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 30 years if the delivery is of not less than 6 and not more than 10 firearms at the same time or within a 2-year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 40 years if the delivery is of not less than 11 and not more than 20 firearms at the same time or within a 3-year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 50 years if the delivery is of not less than 21 and not more than 30 firearms at the same time or within a 4-year period. Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (l) of subsection (A) commits a Class X felony for which he or she shall be sentenced to a term of imprisonment of not less than 6 years and not more than 60 years if the delivery is of 31 or more firearms at the same time or within a 5-year period.

(11) Any person convicted of unlawful sale or delivery of firearms in violation of paragraph (m) of subsection (A) commits a Class A misdemeanor. A second or subsequent violation is a Class 4 felony.

(D) For purposes of this Section:

"School" means a public or private elementary or secondary school, community college, college, or university.

"School related activity" means any sporting, social, academic, or other activity for which students' attendance or participation is sponsored, organized, or funded in whole or in part by a school or school district.

(E) A prosecution for a violation of paragraph (k) of subsection (A) of this Section may be commenced within 6 years after the commission of the offense. A prosecution for a violation of this Section other than paragraph (g) of subsection (A) of this Section may be commenced within 5 years after the commission of the offense defined in the particular paragraph.

(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 10. The Code of Criminal Procedure of 1963 is amended by changing Sections 112A-14 and 112A-23 as follows:

(725 ILCS 5/112A-14) (from Ch. 38, par. 112A-14)

Sec. 112A-14. Domestic violence order of protection; remedies.

(a) (Blank).

(b) The court may order any of the remedies listed in this subsection (b). The remedies listed in this subsection (b) shall be in addition to other civil or criminal remedies available to petitioner.

(1) Prohibition of abuse. Prohibit respondent's harassment, interference with personal liberty, intimidation of a dependent, physical abuse, or willful deprivation, as defined in this Article, if such abuse has occurred or otherwise appears likely to occur if not prohibited.

(2) Grant of exclusive possession of residence. Prohibit respondent from entering or remaining in any residence, household, or premises of the petitioner, including one owned or leased by respondent, if petitioner has a right to occupancy thereof. The grant of exclusive possession of the residence, household, or premises shall not affect title to real property, nor shall the court be limited by the standard set forth in subsection (c-2) of Section 501 of the Illinois Marriage and Dissolution of Marriage Act.

(A) Right to occupancy. A party has a right to occupancy of a residence or household if it is solely or jointly owned or leased by that party, that party's spouse, a person with a legal duty to support that party or a minor child in that party's care, or by any person or entity other than the opposing party that authorizes that party's occupancy (e.g., a domestic violence shelter). Standards set forth in subparagraph (B) shall not preclude equitable relief.

(B) Presumption of hardships. If petitioner and respondent each has the right to occupancy of a residence or household, the court shall balance (i) the hardships to respondent and any minor child or dependent adult in respondent's care resulting from entry of this remedy with (ii) the hardships to petitioner and any minor child or dependent adult in petitioner's care resulting from continued exposure to the risk of abuse (should petitioner remain at the residence or household) or from loss of possession of the residence or household (should petitioner leave to avoid the risk of abuse). When determining the balance of hardships, the court shall also take into account the accessibility of the residence or household. Hardships need not be balanced if respondent does not have a right to occupancy.

The balance of hardships is presumed to favor possession by petitioner unless the presumption is rebutted by a preponderance of the evidence, showing that the hardships to respondent substantially outweigh the hardships to petitioner and any minor child or dependent adult in petitioner's care. The court, on the request of petitioner or on its own motion, may order respondent to provide suitable, accessible, alternate housing for petitioner instead of excluding respondent from a mutual residence or household.

(3) Stay away order and additional prohibitions. Order respondent to stay away from petitioner or any other person protected by the domestic violence order of protection, or prohibit respondent from entering or remaining present at petitioner's school, place of employment, or other specified places at times when petitioner is present, or both, if reasonable, given the balance of hardships. Hardships need not be balanced for the court to enter a stay away order or prohibit entry if respondent has no right to enter the premises.

(A) If a domestic violence order of protection grants petitioner exclusive possession of the residence, prohibits respondent from entering the residence, or orders respondent to stay away from petitioner or other protected persons, then the court may allow respondent access to the residence to remove items of clothing and personal adornment used exclusively by respondent, medications, and other items as the court directs. The right to access shall be exercised on only one occasion as the court directs and in the presence of an agreed-upon adult third party or law enforcement officer.

(B) When the petitioner and the respondent attend the same public, private, or non-public elementary, middle, or high school, the court when issuing a domestic violence order of protection and providing relief shall consider the severity of the act, any continuing physical danger or emotional distress to the petitioner, the educational rights guaranteed to the petitioner and respondent under federal and State law, the availability of a transfer of the respondent to another school, a change of placement or a change of program of the respondent, the expense, difficulty, and educational disruption that would be caused by a transfer of the respondent to another school, and any other relevant facts of the case. The court may order that the respondent not attend the public, private, or non-public elementary, middle, or high school attended by the petitioner, order that the respondent accept a change of placement or change of program, as determined by the school district or private or non-public school, or place restrictions on the respondent's movements within the school attended by the petitioner. The respondent bears the burden of proving by a preponderance of the evidence that a transfer, change of placement, or change of program of the respondent is not available. The respondent also bears the burden of

production with respect to the expense, difficulty, and educational disruption that would be caused by a transfer of the respondent to another school. A transfer, change of placement, or change of program is not unavailable to the respondent solely on the ground that the respondent does not agree with the school district's or private or non-public school's transfer, change of placement, or change of program or solely on the ground that the respondent fails or refuses to consent or otherwise does not take an action required to effectuate a transfer, change of placement, or change of program. When a court orders a respondent to stay away from the public, private, or non-public school attended by the petitioner and the respondent requests a transfer to another attendance center within the respondent's school district or private or non-public school, the school district or private or non-public school shall have sole discretion to determine the attendance center to which the respondent is transferred. If the court order results in a transfer of the minor respondent to another attendance center, a change in the respondent's placement, or a change of the respondent's program, the parents, guardian, or legal custodian of the respondent is responsible for transportation and other costs associated with the transfer or change.

(C) The court may order the parents, guardian, or legal custodian of a minor respondent to take certain actions or to refrain from taking certain actions to ensure that the respondent complies with the order. If the court orders a transfer of the respondent to another school, the parents, guardian, or legal custodian of the respondent is responsible for transportation and other costs associated with the change of school by the respondent.

(4) Counseling. Require or recommend the respondent to undergo counseling for a specified duration with a social worker, psychologist, clinical psychologist, psychiatrist, family service agency, alcohol or substance abuse program, mental health center guidance counselor, agency providing services to elders, program designed for domestic violence abusers, or any other guidance service the court deems appropriate. The court may order the respondent in any intimate partner relationship to report to an Illinois Department of Human Services protocol approved partner abuse intervention program for an assessment and to follow all recommended treatment.

(5) Physical care and possession of the minor child. In order to protect the minor child from abuse, neglect, or unwarranted separation from the person who has been the minor child's primary caretaker, or to otherwise protect the well-being of the minor child, the court may do either or both of the following: (i) grant petitioner physical care or possession of the minor child, or both, or (ii) order respondent to return a minor child to, or not remove a minor child from, the physical care of a parent or person in loco parentis.

If the respondent is charged with abuse (as defined in Section 112A-3 of this Code) of a minor child, there shall be a rebuttable presumption that awarding physical care to respondent would not be in the minor child's best interest.

(6) Temporary allocation of parental responsibilities and significant decision-making responsibilities. Award temporary significant decision-making responsibility to petitioner in accordance with this Section, the Illinois Marriage and Dissolution of Marriage Act, the Illinois Parentage Act of 2015, and this State's Uniform Child-Custody Jurisdiction and Enforcement Act.

If the respondent is charged with abuse (as defined in Section 112A-3 of this Code) of a minor child, there shall be a rebuttable presumption that awarding temporary significant decision-making responsibility to respondent would not be in the child's best interest.

(7) Parenting time. Determine the parenting time, if any, of respondent in any case in which the court awards physical care or temporary significant decision-making responsibility of a minor child to petitioner. The court shall restrict or deny respondent's parenting time with a minor child if the court finds that respondent has done or is likely to do any of the following:

- (i) abuse or endanger the minor child during parenting time;
- (ii) use the parenting time as an opportunity to abuse or harass petitioner or petitioner's family or household members;
- (iii) improperly conceal or detain the minor child; or
- (iv) otherwise act in a manner that is not in the best interests of the minor child.

The court shall not be limited by the standards set forth in Section 603.10 of the Illinois Marriage and Dissolution of Marriage Act. If the court grants parenting time, the order shall specify dates and times for the parenting time to take place or other specific parameters or conditions that are appropriate. No order for parenting time shall refer merely to the term "reasonable parenting time".

Petitioner may deny respondent access to the minor child if, when respondent arrives for parenting time, respondent is under the influence of drugs or alcohol and constitutes a threat to the safety and well-being of petitioner or petitioner's minor children or is behaving in a violent or abusive manner. If necessary to protect any member of petitioner's family or household from future abuse, respondent shall be prohibited from coming to petitioner's residence to meet the minor child for parenting time, and the petitioner and respondent shall submit to the court their recommendations for reasonable alternative arrangements for parenting time. A person may be approved to supervise parenting time only after filing an affidavit accepting that responsibility and acknowledging accountability to the court.

(8) Removal or concealment of minor child. Prohibit respondent from removing a minor child from the State or concealing the child within the State.

(9) Order to appear. Order the respondent to appear in court, alone or with a minor child, to prevent abuse, neglect, removal or concealment of the child, to return the child to the custody or care of the petitioner, or to permit any court-ordered interview or examination of the child or the respondent.

(10) Possession of personal property. Grant petitioner exclusive possession of personal property and, if respondent has possession or control, direct respondent to promptly make it available to petitioner, if:

(i) petitioner, but not respondent, owns the property; or

(ii) the petitioner and respondent own the property jointly; sharing it would risk abuse of petitioner by respondent or is impracticable; and the balance of hardships favors temporary possession by petitioner.

If petitioner's sole claim to ownership of the property is that it is marital property, the court may award petitioner temporary possession thereof under the standards of subparagraph (ii) of this paragraph only if a proper proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended.

No order under this provision shall affect title to property.

(11) Protection of property. Forbid the respondent from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of any real or personal property, except as explicitly authorized by the court, if:

(i) petitioner, but not respondent, owns the property; or

(ii) the petitioner and respondent own the property jointly, and the balance of hardships favors granting this remedy.

If petitioner's sole claim to ownership of the property is that it is marital property, the court may grant petitioner relief under subparagraph (ii) of this paragraph only if a proper proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended.

The court may further prohibit respondent from improperly using the financial or other resources of an aged member of the family or household for the profit or advantage of respondent or of any other person.

(11.5) Protection of animals. Grant the petitioner the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

(12) Order for payment of support. Order respondent to pay temporary support for the petitioner or any child in the petitioner's care or over whom the petitioner has been allocated parental responsibility, when the respondent has a legal obligation to support that person, in accordance with the Illinois Marriage and Dissolution of Marriage Act, which shall govern, among other matters, the amount of support, payment through the clerk and withholding of income to secure payment. An order for child support may be granted to a petitioner with lawful physical care of a child, or an order or agreement for physical care of a child, prior to entry of an order allocating significant decision-making responsibility. Such a support order shall expire upon entry of a valid order allocating parental responsibility differently and vacating petitioner's significant decision-making responsibility unless otherwise provided in the order.

(13) Order for payment of losses. Order respondent to pay petitioner for losses suffered as a direct result of the abuse. Such losses shall include, but not be limited to, medical expenses, lost

earnings or other support, repair or replacement of property damaged or taken, reasonable attorney's fees, court costs, and moving or other travel expenses, including additional reasonable expenses for temporary shelter and restaurant meals.

(i) Losses affecting family needs. If a party is entitled to seek maintenance, child support, or property distribution from the other party under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended, the court may order respondent to reimburse petitioner's actual losses, to the extent that such reimbursement would be "appropriate temporary relief", as authorized by subsection (a)(3) of Section 501 of that Act.

(ii) Recovery of expenses. In the case of an improper concealment or removal of a minor child, the court may order respondent to pay the reasonable expenses incurred or to be incurred in the search for and recovery of the minor child, including, but not limited to, legal fees, court costs, private investigator fees, and travel costs.

(14) Prohibition of entry. Prohibit the respondent from entering or remaining in the residence or household while the respondent is under the influence of alcohol or drugs and constitutes a threat to the safety and well-being of the petitioner or the petitioner's children.

(14.5) Prohibition of possession of firearms and firearm parts; search and seizure of firearms and firearm parts.

(A) Subject to the provisions of subparagraph (B-2), if applicable, a person who is subject to an existing domestic violence order of protection issued under this Code may not lawfully possess firearms or firearm parts that could be assembled to make an operable firearm or a Firearm Owner's Identification Card under Section 8.2 of the Firearm Owners Identification Card Act.

(B) Any firearms in the possession of the respondent, except as provided in subparagraph (C) of this paragraph (14.5) and subject to the provisions of subparagraph (B-2), if applicable, shall be ordered by the court to be surrendered to law enforcement for safekeeping. Any firearms or firearm parts on the respondent's person or at the place of service shall be immediately surrendered to the serving officers at the time of service of the order of protection, and any other firearms or firearm parts shall be surrendered to local law enforcement within 24 hours of service of the order of protection. Any Firearm Owner's Identification Card or Concealed Carry License in the possession of the respondent, except as provided in subparagraph (C), shall also be ordered by the court to be turned over to serving officers at the time of service of the order of protection or, if not on the respondent's person or at the location where the respondent is served at the time of service, to local law enforcement within 24 hours of service of the order. The law enforcement agency shall immediately mail the card, as well as any license, to the Illinois State Police Firearm Owner's Identification Card Office for safekeeping.

(B-1) Upon request of the petitioner or the State's Attorney on behalf of the petitioner, a law enforcement officer may seek a search warrant based on the allegations in the petition for the Order of Protection.

(i) If requested by law enforcement, the court shall issue a search warrant for the seizure of any firearms or firearm parts that could be assembled to make an operable firearm belonging to the respondent at or after entry of an order of protection if the court, based upon sworn testimony and governed by Sections 108-3 and 108-4, finds probable cause exists that:

(aa) the respondent poses an immediate and present credible threat to the physical safety of the petitioner protected by the order of protection;

(bb) the respondent possesses firearms or firearm parts that could be assembled to make an operable firearm; and

(cc) the firearms or firearm parts that could be assembled to make an operable firearm are located at the residence, vehicle, or other property of the respondent to be searched.

(ii) The search warrant shall specify with particularity the scope of the search, including the property to be searched, and shall direct the law enforcement agency to seize the respondent's firearms and firearm parts that could be assembled to make an operable firearm. Law enforcement shall also be directed to seize into their possession

any Firearm Owner's Identification Card and any Concealed Carry License belonging to the respondent.

(iii) The law enforcement agency to which the court has directed the warrant shall execute the warrant no later than 96 hours after issuance. The law enforcement agency to which the court has directed the warrant may coordinate with other law enforcement agencies to execute the warrant. A return of the warrant shall be filed by the law enforcement agency within 24 hours of execution, setting forth the time, date, and location where the warrant was executed and what items, if any, were seized. If the court is not in session, the return information shall be returned on the next date the court is in session. Subject to the provisions of this Section, peace officers shall have the same authority to execute a warrant issued under this subsection as a warrant issued under Article 108.

(iv) If the property to be searched is in another county, the petitioner or the State's Attorney may seek a search warrant in that county with the law enforcement agency with primary responsibility for responding to service calls at the property to be searched. Regardless of whether the petitioner is working with the State's Attorney under subsection (d) of Section 112A-4.5, the petitioner may request the State's Attorney's assistance to request that the law enforcement agency in the county where the property is located seek a search warrant.

(v) Service of an order of protection shall, to the extent possible, be concurrent with any warrant issued under this paragraph.

(B-2) Ex parte relief may be granted under this paragraph (14.5) only if the court finds that personal injury to the petitioner is likely to occur if the respondent received prior notice and if the petitioner has otherwise satisfied the requirements of Section 112A-17.5 of this Article.

(C) If the respondent is a peace officer as defined in Section 2-13 of the Criminal Code of 2012, the court shall order that any firearms used by the respondent in the performance of his or her duties as a peace officer be surrendered to the chief law enforcement executive of the agency in which the respondent is employed, who shall retain the firearms for safekeeping for the duration of the domestic violence order of protection.

(D)(i) Any firearms or firearm parts that could be assembled to make an operable firearm that have been seized or surrendered shall be kept by the law enforcement agency that took possession of the items for safekeeping, except as provided in subparagraph (C), (E), or (F). The period of safekeeping shall be for the duration of the order of protection. Except as provided in subparagraph (F), the respondent is prohibited from transferring firearms or firearm parts to another individual in lieu of surrender to law enforcement. The law enforcement agency shall provide an itemized statement of receipt to the respondent and the court describing any seized or surrendered firearms or firearm parts and informing the respondent that the respondent may seek the return of the respondent's items at the end of the order of protection. The law enforcement agency may enter arrangements, as needed, with federally licensed firearm dealers or other law enforcement agencies for the storage of any firearms seized or surrendered under this subsection.

(ii) It is the respondent's responsibility to request the return or reinstatement of any Firearm Owner's Identification Card or Concealed Carry License and to notify the Illinois State Police Firearm Owner's Identification Card Office at the end of the Order of Protection.

(iii) At the end of the order of protection, a respondent may request the return of any seized or surrendered firearms or firearm parts that could be assembled to make an operable firearm. Seized or surrendered firearms or firearm parts shall be returned within 14 days of the request to the respondent, if the respondent is lawfully eligible to possess firearms, or to a designated third party who is lawfully eligible to possess firearms. If the firearms or firearm parts cannot be returned to respondent because (1) the respondent has not requested the return or transfer of the firearms or firearm parts as set forth in this subparagraph and (2) the respondent cannot be located or fails to respond to more than 3 requests to retrieve the firearms, upon petition from the appropriate law enforcement agency and notice to the respondent at the respondent's last known address, the court may order the law enforcement agency to destroy the firearms or firearm parts; use the firearms or firearm parts for training purposes, or for any other application as deemed appropriate by the law enforcement agency; or turn over the firearms or

firearm parts to a third party who is lawfully eligible to possess firearms, and who does not reside with respondent.

(E)(i) If a person other than the respondent claims title to any firearms or firearm parts that could be assembled to make an operable firearm seized or surrendered under this subsection, the person may petition the court to have the firearm and firearm parts that could be assembled to make an operable firearm returned to him or her with proper notice to the petitioner and respondent. If, at a hearing on the petition, the court determines the person to be the lawful owner of the firearm and firearm parts that could be assembled to make an operable firearm, the firearm and firearm parts that could be assembled to make an operable firearm shall be returned to the person, provided that:

(aa) the firearm and firearm parts that could be assembled to make an operable firearm are removed from the respondent's custody, control, or possession, and the lawful owner agrees to store the firearm and firearm parts that could be assembled to make an operable firearm in a manner such that the respondent does not have access to or control of the firearm and firearm parts that could be assembled to make an operable firearm; and

(bb) the firearm and firearm parts that could be assembled to make an operable firearm are not otherwise unlawfully possessed by the owner.

(ii) The person petitioning for the return of his or her firearm and firearm parts that could be assembled to make an operable firearm must swear or affirm by affidavit that he or she:

(aa) is the lawful owner of the firearm and firearm parts that could be assembled to make an operable firearm;

(bb) shall not transfer the firearm and firearm parts that could be assembled to make an operable firearm to the respondent; and

(cc) will store the firearm and firearm parts that could be assembled to make an operable firearm in a manner that the respondent does not have access to or control of the firearm and firearm parts that could be assembled to make an operable firearm.

(F)(i) The respondent may file a motion to transfer, at the next scheduled hearing, any seized or surrendered firearms or firearm parts to a third party. Notice of the motion shall be provided to the petitioner and the third party must appear at the hearing.

(ii) The court may order transfer of the seized or surrendered firearm or firearm parts only if:

(aa) the third party transferee affirms by affidavit and to the open court that:

(I) the third party transferee does not reside with the respondent;

(II) the respondent does not have access to the location in which the third party transferee intends to keep the firearms or firearm parts;

(III) the third party transferee will not transfer the firearm or firearm parts to the respondent or anyone who resides with the respondent;

(IV) the third party transferee will maintain control and possession of the firearm or firearm parts until otherwise ordered by the court; and

(V) the third party transferee is aware that transferring the firearms or firearm parts or allowing the respondent access to the firearms or firearm parts would be a violation of Section 24-3 of the Criminal Code of 2012 will be subject to criminal penalties for transferring the firearms or firearm parts to the respondent; and

(bb) the court finds that:

(I) the third party respondent holds a valid Firearm Owner's Identification; and

(II) the transfer of firearms or firearm parts to the third party transferee does not place the petitioner or any other protected parties at any additional threat or risk of harm.

(15) Prohibition of access to records. If a domestic violence order of protection prohibits respondent from having contact with the minor child, or if petitioner's address is omitted under subsection (b) of Section 112A-5 of this Code, or if necessary to prevent abuse or wrongful removal or concealment of a minor child, the order shall deny respondent access to, and prohibit respondent from inspecting, obtaining, or attempting to inspect or obtain, school or any other records of the minor child who is in the care of petitioner.

(16) Order for payment of shelter services. Order respondent to reimburse a shelter providing temporary housing and counseling services to the petitioner for the cost of the services, as certified by the shelter and deemed reasonable by the court.

(17) Order for injunctive relief. Enter injunctive relief necessary or appropriate to prevent further abuse of a family or household member or to effectuate one of the granted remedies, if supported by the balance of hardships. If the harm to be prevented by the injunction is abuse or any other harm that one of the remedies listed in paragraphs (1) through (16) of this subsection is designed to prevent, no further evidence is necessary to establish that the harm is an irreparable injury.

(18) Telephone services.

(A) Unless a condition described in subparagraph (B) of this paragraph exists, the court may, upon request by the petitioner, order a wireless telephone service provider to transfer to the petitioner the right to continue to use a telephone number or numbers indicated by the petitioner and the financial responsibility associated with the number or numbers, as set forth in subparagraph (C) of this paragraph. In this paragraph (18), the term "wireless telephone service provider" means a provider of commercial mobile service as defined in 47 U.S.C. 332. The petitioner may request the transfer of each telephone number that the petitioner, or a minor child in his or her custody, uses. The clerk of the court shall serve the order on the wireless telephone service provider's agent for service of process provided to the Illinois Commerce Commission. The order shall contain all of the following:

(i) The name and billing telephone number of the account holder including the name of the wireless telephone service provider that serves the account.

(ii) Each telephone number that will be transferred.

(iii) A statement that the provider transfers to the petitioner all financial responsibility for and right to the use of any telephone number transferred under this paragraph.

(B) A wireless telephone service provider shall terminate the respondent's use of, and shall transfer to the petitioner use of, the telephone number or numbers indicated in subparagraph (A) of this paragraph unless it notifies the petitioner, within 72 hours after it receives the order, that one of the following applies:

(i) The account holder named in the order has terminated the account.

(ii) A difference in network technology would prevent or impair the functionality of a device on a network if the transfer occurs.

(iii) The transfer would cause a geographic or other limitation on network or service provision to the petitioner.

(iv) Another technological or operational issue would prevent or impair the use of the telephone number if the transfer occurs.

(C) The petitioner assumes all financial responsibility for and right to the use of any telephone number transferred under this paragraph. In this paragraph, "financial responsibility" includes monthly service costs and costs associated with any mobile device associated with the number.

(D) A wireless telephone service provider may apply to the petitioner its routine and customary requirements for establishing an account or transferring a number, including requiring the petitioner to provide proof of identification, financial information, and customer preferences.

(E) Except for willful or wanton misconduct, a wireless telephone service provider is immune from civil liability for its actions taken in compliance with a court order issued under this paragraph.

(F) All wireless service providers that provide services to residential customers shall provide to the Illinois Commerce Commission the name and address of an agent for service of orders entered under this paragraph (18). Any change in status of the registered agent must be reported to the Illinois Commerce Commission within 30 days of such change.

(G) The Illinois Commerce Commission shall maintain the list of registered agents for service for each wireless telephone service provider on the Commission's website. The Commission may consult with wireless telephone service providers and the Circuit Court Clerks on the manner in which this information is provided and displayed.

(c) Relevant factors; findings.

(1) In determining whether to grant a specific remedy, other than payment of support, the court shall consider relevant factors, including, but not limited to, the following:

(i) the nature, frequency, severity, pattern, and consequences of the respondent's past abuse of the petitioner or any family or household member, including the concealment of his or her location in order to evade service of process or notice, and the likelihood of danger of future abuse to petitioner or any member of petitioner's or respondent's family or household; and

(ii) the danger that any minor child will be abused or neglected or improperly relocated from the jurisdiction, improperly concealed within the State, or improperly separated from the child's primary caretaker.

(2) In comparing relative hardships resulting to the parties from loss of possession of the family home, the court shall consider relevant factors, including, but not limited to, the following:

(i) availability, accessibility, cost, safety, adequacy, location, and other characteristics of alternate housing for each party and any minor child or dependent adult in the party's care;

(ii) the effect on the party's employment; and

(iii) the effect on the relationship of the party, and any minor child or dependent adult in the party's care, to family, school, church, and community.

(3) Subject to the exceptions set forth in paragraph (4) of this subsection (c), the court shall make its findings in an official record or in writing, and shall at a minimum set forth the following:

(i) That the court has considered the applicable relevant factors described in paragraphs (1) and (2) of this subsection (c).

(ii) Whether the conduct or actions of respondent, unless prohibited, will likely cause irreparable harm or continued abuse.

(iii) Whether it is necessary to grant the requested relief in order to protect petitioner or other alleged abused persons.

(4) (Blank).

(5) Never married parties. No rights or responsibilities for a minor child born outside of marriage attach to a putative father until a father and child relationship has been established under the Illinois Parentage Act of 1984, the Illinois Parentage Act of 2015, the Illinois Public Aid Code, Section 12 of the Vital Records Act, the Juvenile Court Act of 1987, the Probate Act of 1975, the Uniform Interstate Family Support Act, the Expedited Child Support Act of 1990, any judicial, administrative, or other act of another state or territory, any other statute of this State, or by any foreign nation establishing the father and child relationship, any other proceeding substantially in conformity with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, or when both parties appeared in open court or at an administrative hearing acknowledging under oath or admitting by affirmation the existence of a father and child relationship. Absent such an adjudication, no putative father shall be granted temporary allocation of parental responsibilities, including parenting time with the minor child, or physical care and possession of the minor child, nor shall an order of payment for support of the minor child be entered.

(d) Balance of hardships; findings. If the court finds that the balance of hardships does not support the granting of a remedy governed by paragraph (2), (3), (10), (11), or (16) of subsection (b) of this Section, which may require such balancing, the court's findings shall so indicate and shall include a finding as to whether granting the remedy will result in hardship to respondent that would substantially outweigh the hardship to petitioner from denial of the remedy. The findings shall be an official record or in writing.

(e) Denial of remedies. Denial of any remedy shall not be based, in whole or in part, on evidence that:

(1) respondent has cause for any use of force, unless that cause satisfies the standards for justifiable use of force provided by Article 7 of the Criminal Code of 2012;

(2) respondent was voluntarily intoxicated;

(3) petitioner acted in self-defense or defense of another, provided that, if petitioner utilized force, such force was justifiable under Article 7 of the Criminal Code of 2012;

(4) petitioner did not act in self-defense or defense of another;

(5) petitioner left the residence or household to avoid further abuse by respondent;

(6) petitioner did not leave the residence or household to avoid further abuse by respondent; or

(7) conduct by any family or household member excused the abuse by respondent, unless that same conduct would have excused such abuse if the parties had not been family or household members.

(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-1065, eff. 5-11-25.)

Section 15. The Illinois Domestic Violence Act of 1986 is amended by changing Sections 214 and 223 as follows:

(750 ILCS 60/214) (from Ch. 40, par. 2312-14)

Sec. 214. Order of protection; remedies.

(a) Issuance of order. If the court finds that petitioner has been abused by a family or household member or that petitioner is a high-risk adult who has been abused, neglected, or exploited, as defined in this Act, an order of protection prohibiting the abuse, neglect, or exploitation shall issue; provided that petitioner must also satisfy the requirements of one of the following Sections, as appropriate: Section 217 on emergency orders, Section 218 on interim orders, or Section 219 on plenary orders. Petitioner shall not be denied an order of protection because petitioner or respondent is a minor. The court, when determining whether or not to issue an order of protection, shall not require physical manifestations of abuse on the person of the victim. Modification and extension of prior orders of protection shall be in accordance with this Act.

(b) Remedies and standards. The remedies to be included in an order of protection shall be determined in accordance with this Section and one of the following Sections, as appropriate: Section 217 on emergency orders, Section 218 on interim orders, and Section 219 on plenary orders. The remedies listed in this subsection shall be in addition to other civil or criminal remedies available to petitioner.

(1) Prohibition of abuse, neglect, or exploitation. Prohibit respondent's harassment, interference with personal liberty, intimidation of a dependent, physical abuse, or willful deprivation, neglect or exploitation, as defined in this Act, or stalking of the petitioner, as defined in Section 12-7.3 of the Criminal Code of 2012, if such abuse, neglect, exploitation, or stalking has occurred or otherwise appears likely to occur if not prohibited.

(2) Grant of exclusive possession of residence. Prohibit respondent from entering or remaining in any residence, household, or premises of the petitioner, including one owned or leased by respondent, if petitioner has a right to occupancy thereof. The grant of exclusive possession of the residence, household, or premises shall not affect title to real property, nor shall the court be limited by the standard set forth in subsection (c-2) of Section 501 of the Illinois Marriage and Dissolution of Marriage Act.

(A) Right to occupancy. A party has a right to occupancy of a residence or household if it is solely or jointly owned or leased by that party, that party's spouse, a person with a legal duty to support that party or a minor child in that party's care, or by any person or entity other than the opposing party that authorizes that party's occupancy (e.g., a domestic violence shelter). Standards set forth in subparagraph (B) shall not preclude equitable relief.

(B) Presumption of hardships. If petitioner and respondent each has the right to occupancy of a residence or household, the court shall balance (i) the hardships to respondent and any minor child or dependent adult in respondent's care resulting from entry of this remedy with (ii) the hardships to petitioner and any minor child or dependent adult in petitioner's care resulting from continued exposure to the risk of abuse (should petitioner remain at the residence or household) or from loss of possession of the residence or household (should petitioner leave to avoid the risk of abuse). When determining the balance of hardships, the court shall also take into account the accessibility of the residence or household. Hardships need not be balanced if respondent does not have a right to occupancy.

The balance of hardships is presumed to favor possession by petitioner unless the presumption is rebutted by a preponderance of the evidence, showing that the hardships to respondent substantially outweigh the hardships to petitioner and any minor child or dependent adult in petitioner's care. The court, on the request of petitioner or on its own motion, may order respondent to provide suitable, accessible, alternate housing for petitioner instead of excluding respondent from a mutual residence or household.

(3) Stay away order and additional prohibitions. Order respondent to stay away from petitioner or any other person protected by the order of protection, or prohibit respondent from entering or remaining present at petitioner's school, place of employment, or other specified places at times when petitioner is present, or both, if reasonable, given the balance of hardships. Hardships need not be balanced for the court to enter a stay away order or prohibit entry if respondent has no right to enter the premises.

(A) If an order of protection grants petitioner exclusive possession of the residence, or prohibits respondent from entering the residence, or orders respondent to stay away from petitioner or other protected persons, then the court may allow respondent access to the residence to remove items of clothing and personal adornment used exclusively by respondent, medications, and other items as the court directs. The right to access shall be exercised on only one occasion as the court directs and in the presence of an agreed-upon adult third party or law enforcement officer.

(B) When the petitioner and the respondent attend the same public, private, or non-public elementary, middle, or high school, the court when issuing an order of protection and providing relief shall consider the severity of the act, any continuing physical danger or emotional distress to the petitioner, the educational rights guaranteed to the petitioner and respondent under federal and State law, the availability of a transfer of the respondent to another school, a change of placement or a change of program of the respondent, the expense, difficulty, and educational disruption that would be caused by a transfer of the respondent to another school, and any other relevant facts of the case. The court may order that the respondent not attend the public, private, or non-public elementary, middle, or high school attended by the petitioner, order that the respondent accept a change of placement or change of program, as determined by the school district or private or non-public school, or place restrictions on the respondent's movements within the school attended by the petitioner. The respondent bears the burden of proving by a preponderance of the evidence that a transfer, change of placement, or change of program of the respondent is not available. The respondent also bears the burden of production with respect to the expense, difficulty, and educational disruption that would be caused by a transfer of the respondent to another school. A transfer, change of placement, or change of program is not unavailable to the respondent solely on the ground that the respondent does not agree with the school district's or private or non-public school's transfer, change of placement, or change of program or solely on the ground that the respondent fails or refuses to consent or otherwise does not take an action required to effectuate a transfer, change of placement, or change of program. When a court orders a respondent to stay away from the public, private, or non-public school attended by the petitioner and the respondent requests a transfer to another attendance center within the respondent's school district or private or non-public school, the school district or private or non-public school shall have sole discretion to determine the attendance center to which the respondent is transferred. In the event the court order results in a transfer of the minor respondent to another attendance center, a change in the respondent's placement, or a change of the respondent's program, the parents, guardian, or legal custodian of the respondent is responsible for transportation and other costs associated with the transfer or change.

(C) The court may order the parents, guardian, or legal custodian of a minor respondent to take certain actions or to refrain from taking certain actions to ensure that the respondent complies with the order. In the event the court orders a transfer of the respondent to another school, the parents, guardian, or legal custodian of the respondent is responsible for transportation and other costs associated with the change of school by the respondent.

(4) Counseling. Require or recommend the respondent to undergo counseling for a specified duration with a social worker, psychologist, clinical psychologist, psychiatrist, family service agency, alcohol or substance abuse program, mental health center guidance counselor, agency providing services to elders, program designed for domestic violence abusers or any other guidance service the court deems appropriate. The Court may order the respondent in any intimate partner relationship to report to an Illinois Department of Human Services protocol approved partner abuse intervention program for an assessment and to follow all recommended treatment.

(5) Physical care and possession of the minor child. In order to protect the minor child from abuse, neglect, or unwarranted separation from the person who has been the minor child's primary caretaker, or to otherwise protect the well-being of the minor child, the court may do either or both of the following: (i) grant petitioner physical care or possession of the minor child, or both, or (ii) order respondent to return a minor child to, or not remove a minor child from, the physical care of a parent or person in loco parentis.

If a court finds, after a hearing, that respondent has committed abuse (as defined in Section 103) of a minor child, there shall be a rebuttable presumption that awarding physical care to respondent would not be in the minor child's best interest.

(6) Temporary allocation of parental responsibilities: significant decision-making. Award temporary decision-making responsibility to petitioner in accordance with this Section, the Illinois Marriage and Dissolution of Marriage Act, the Illinois Parentage Act of 2015, and this State's Uniform Child-Custody Jurisdiction and Enforcement Act.

If a court finds, after a hearing, that respondent has committed abuse (as defined in Section 103) of a minor child, there shall be a rebuttable presumption that awarding temporary significant decision-making responsibility to respondent would not be in the child's best interest.

(7) Parenting time. Determine the parenting time, if any, of respondent in any case in which the court awards physical care or allocates temporary significant decision-making responsibility of a minor child to petitioner. The court shall restrict or deny respondent's parenting time with a minor child if the court finds that respondent has done or is likely to do any of the following: (i) abuse or endanger the minor child during parenting time; (ii) use the parenting time as an opportunity to abuse or harass petitioner or petitioner's family or household members; (iii) improperly conceal or detain the minor child; or (iv) otherwise act in a manner that is not in the best interests of the minor child. The court shall not be limited by the standards set forth in Section 603.10 of the Illinois Marriage and Dissolution of Marriage Act. If the court grants parenting time, the order shall specify dates and times for the parenting time to take place or other specific parameters or conditions that are appropriate. No order for parenting time shall refer merely to the term "reasonable parenting time".

Petitioner may deny respondent access to the minor child if, when respondent arrives for parenting time, respondent is under the influence of drugs or alcohol and constitutes a threat to the safety and well-being of petitioner or petitioner's minor children or is behaving in a violent or abusive manner.

If necessary to protect any member of petitioner's family or household from future abuse, respondent shall be prohibited from coming to petitioner's residence to meet the minor child for parenting time, and the parties shall submit to the court their recommendations for reasonable alternative arrangements for parenting time. A person may be approved to supervise parenting time only after filing an affidavit accepting that responsibility and acknowledging accountability to the court.

(8) Removal or concealment of minor child. Prohibit respondent from removing a minor child from the State or concealing the child within the State.

(9) Order to appear. Order the respondent to appear in court, alone or with a minor child, to prevent abuse, neglect, removal or concealment of the child, to return the child to the custody or care of the petitioner or to permit any court-ordered interview or examination of the child or the respondent.

(10) Possession of personal property. Grant petitioner exclusive possession of personal property and, if respondent has possession or control, direct respondent to promptly make it available to petitioner, if:

(i) petitioner, but not respondent, owns the property; or

(ii) the parties own the property jointly; sharing it would risk abuse of petitioner by respondent or is impracticable; and the balance of hardships favors temporary possession by petitioner.

If petitioner's sole claim to ownership of the property is that it is marital property, the court may award petitioner temporary possession thereof under the standards of subparagraph (ii) of this paragraph only if a proper proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended.

No order under this provision shall affect title to property.

(11) Protection of property. Forbid the respondent from taking, transferring, encumbering, concealing, damaging or otherwise disposing of any real or personal property, except as explicitly authorized by the court, if:

(i) petitioner, but not respondent, owns the property; or

(ii) the parties own the property jointly, and the balance of hardships favors granting this remedy.

If petitioner's sole claim to ownership of the property is that it is marital property, the court may grant petitioner relief under subparagraph (ii) of this paragraph only if a proper proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended.

The court may further prohibit respondent from improperly using the financial or other resources of an aged member of the family or household for the profit or advantage of respondent or of any other person.

(11.5) Protection of animals. Grant the petitioner the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

(12) Order for payment of support. Order respondent to pay temporary support for the petitioner or any child in the petitioner's care or over whom the petitioner has been allocated parental responsibility, when the respondent has a legal obligation to support that person, in accordance with the Illinois Marriage and Dissolution of Marriage Act, which shall govern, among other matters, the amount of support, payment through the clerk and withholding of income to secure payment. An order for child support may be granted to a petitioner with lawful physical care of a child, or an order or agreement for physical care of a child, prior to entry of an order allocating significant decision-making responsibility. Such a support order shall expire upon entry of a valid order allocating parental responsibility differently and vacating the petitioner's significant decision-making authority, unless otherwise provided in the order.

(13) Order for payment of losses. Order respondent to pay petitioner for losses suffered as a direct result of the abuse, neglect, or exploitation. Such losses shall include, but not be limited to, medical expenses, lost earnings or other support, repair or replacement of property damaged or taken, reasonable attorney's fees, court costs and moving or other travel expenses, including additional reasonable expenses for temporary shelter and restaurant meals.

(i) Losses affecting family needs. If a party is entitled to seek maintenance, child support or property distribution from the other party under the Illinois Marriage and Dissolution of Marriage Act, as now or hereafter amended, the court may order respondent to reimburse petitioner's actual losses, to the extent that such reimbursement would be "appropriate temporary relief", as authorized by subsection (a)(3) of Section 501 of that Act.

(ii) Recovery of expenses. In the case of an improper concealment or removal of a minor child, the court may order respondent to pay the reasonable expenses incurred or to be incurred in the search for and recovery of the minor child, including but not limited to legal fees, court costs, private investigator fees, and travel costs.

(14) Prohibition of entry. Prohibit the respondent from entering or remaining in the residence or household while the respondent is under the influence of alcohol or drugs and constitutes a threat to the safety and well-being of the petitioner or the petitioner's children.

(14.5) Prohibition of possession of firearms and firearm parts; search and seizure of firearms and firearm parts.

(A)(i) Prohibit a respondent against whom an emergency, interim, or plenary order of protection was issued from possessing, during the duration of the order, any firearms or firearm parts that could be assembled into an operable firearm if a search warrant is issued under (A-1) or the order:

(aa) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate, or the petitioner has satisfied the requirements of Section 217;

(bb) restrains such person from using physical force; harassing, stalking, or threatening ~~an intimate partner of such person or child of such intimate partner or person;~~ or engaging in other conduct that would place a petitioner ~~an intimate partner~~ in reasonable fear of bodily injury ~~to the partner or child;~~ and

(cc) includes a finding that such person represents a credible threat to the physical safety of a ~~petitioner such intimate partner or child.~~

(ii) The court shall order any respondent prohibited from possessing firearms under item (i) of subparagraph (A) to surrender any firearms or firearm parts that could be assembled to make an operable firearm. Any firearms or firearm parts on the respondent's person or at the place of service shall be surrendered to the serving officers at the time of service of the order of protection, and any other firearms or firearm parts shall be surrendered to local law enforcement within 24 hours of service of the order of protection. Any Firearm Owner's Identification Card

or Concealed Carry License in the possession of the respondent, except as provided in subparagraph (B), shall also be ordered by the court to be turned over to the officer serving the order of protection at the time of service or, if not on the respondent's person or at the location where the respondent is served at the time of service, to local law enforcement within 24 hours of service of the order of protection. The law enforcement agency shall immediately mail the card, as well as any license, to the Illinois State Police Firearm Owner's Identification Card Office for safekeeping.

(A-1)(i) Upon issuance of an emergency, interim, or plenary order of protection and subject to the provisions of item (ii) of this subparagraph (A-1), the court shall issue a search warrant for the seizure of any firearms or firearm parts that could be assembled to make an operable firearm belonging to the respondent if the court, based upon sworn testimony, finds that:

(aa) the respondent poses a credible threat to the physical safety of the petitioner protected by the order of protection; and

(bb) probable cause exists to believe that:

(I) the respondent possesses firearms or firearm parts that could be assembled to make an operable firearm;

(II) the firearms or firearm parts that could be assembled to make an operable firearm are located at the residence, vehicle, or other property of the respondent to be searched; and

(III) the credible threat to the physical safety of the petitioner protected by the order of protection is immediate and present.

The record shall reflect the court's findings in determining whether the search warrant shall be issued.

(ii) If the petitioner does not seek a warrant under this subparagraph (A-1) or the court determines that the requirements of this subparagraph (A-1) have not been met, relief under subparagraph (A) alone may be granted.

(iii) An ex parte search warrant shall be granted under this subparagraph (A-1) only if the court finds that:

(aa) the elements of item (i) of subparagraph (A-1) have been met;

(bb) personal injury to the petitioner is likely to occur if the respondent received prior notice; and

(cc) the petitioner has otherwise satisfied the requirements of Section 217 of this Act.

(iv) Oral testimony is sufficient in lieu of an affidavit to support a finding of probable cause.

(v) A search warrant issued under this subparagraph (A-1) shall be directed by the court for enforcement to the law enforcement agency with primary responsibility for responding to calls for service at the location to be searched or to another appropriate law enforcement agency if justified by the circumstances. The search warrant shall specify with particularity the scope of the search, including the property to be searched, and shall direct the law enforcement agency to seize the respondent's firearms and firearm parts that could be assembled to make an operable firearm. Law enforcement shall also be directed to seize any Firearm Owner's Identification Card and any Concealed Carry License belonging to the respondent.

(vi) The petitioner shall prepare an information sheet, reviewed by the court, for law enforcement at the time the warrant is granted. The information sheet shall include:

(aa) contact information for the petitioner, the petitioner's attorney, or both, including a telephone number and email, if available;

(bb) a physical description of the respondent, including the respondent's date of birth, if known, or approximate age, height, weight, race, and hair color;

(cc) days and times that the respondent is likely to be at the property to be searched, if known; and

(dd) whether people other than the respondent are likely to be present at the property to be searched and when, if known.

(vii) The information sheet shall be transmitted to the law enforcement agency to which the search warrant is directed in the same manner as the warrant is transmitted under Section 222 of this Act.

(viii) If the court, after determining a search warrant should issue, finds that the petitioner has made a credible report of domestic violence to the local law enforcement agency within the previous 90 days, law enforcement shall execute the warrant no later than 96 hours after receipt of the warrant. If the court finds that petitioner has not made such a report, the law enforcement agency to which the court has directed the warrant shall, within 48 hours of receipt, evaluate the warrant and seek any corrections to the warrant, and, if applicable, add to or negate the warrant. If the law enforcement agency seeks to negate the warrant, it shall take reasonable steps to notify the petitioner before appearing before the court. The record shall reflect the court's findings in determining whether to correct, add, or negate the warrant. If a change is made regarding the search warrant, law enforcement shall execute the warrant no later than 96 hours after the correction is issued. The law enforcement agency shall notify the petitioner of any changes to the warrant or if the warrant has been negated. The law enforcement agency to which the court has directed the warrant may coordinate with other law enforcement agencies to execute the warrant. A return of the warrant shall be filed by the law enforcement agency within 24 hours of execution, setting forth the time, date, and location where the warrant was executed and what items, if any, were seized. If the court is not in session, the return information shall be returned on the next date the court is in session. Subject to the provisions of this Section, peace officers shall have the same authority to execute a warrant issued pursuant to this subsection as a warrant issued under Article 108 of the Code of Criminal Procedure of 1963.

(ix) Upon discovering a defect in the search warrant, the appropriate law enforcement agency may petition the court to correct the warrant. The law enforcement agency shall notify the petitioner of any such correction.

(x) Upon petition by the appropriate law enforcement agency, the court may modify the search warrant or extend the time to execute the search warrant for a period of no more than 96 hours. If the court is not in session, the law enforcement agency may seek an extension and, if needed, modification on the next day the court is in session. Any extension granted under this paragraph shall run from the end of the initial period to execute the warrant or the entry of the extending order, whichever is later. In determining whether to modify or extend the warrant, the court shall consider:

- (aa) any increased risk to the petitioner's safety that may result from a modification or extension of the warrant;
- (bb) any unnecessary risk to law enforcement that would be mitigated by a modification or extension of the warrant;
- (cc) any risks to third parties at the location to be searched that would be mitigated by a modification or extension of the warrant; and
- (dd) the likelihood of successful execution of warrant.

The record shall reflect the court's findings in determining whether to extend or modify the warrant. If seeking an extension of time to execute the warrant, the law enforcement agency shall take reasonable steps to notify the petitioner prior to appearing before the court. The law enforcement agency shall notify the petitioner of any modification or extension of the warrant.

(xi) Service of any order of protection shall, to the extent possible, be concurrent with the execution of any search warrant under this paragraph.

(B) If the respondent is a peace officer as defined in Section 2-13 of the Criminal Code of 2012, the court shall order that any firearms used by the respondent in the performance of his or her duties as a peace officer be surrendered to the chief law enforcement executive of the agency in which the respondent is employed, who shall retain the firearms for safekeeping for the duration of the order of protection.

(C)(i) Any firearms or firearm parts that could be assembled to make an operable firearm shall be kept by the law enforcement agency that took possession of the items for safekeeping, except as provided in subparagraph (B). The period of safekeeping shall be for the duration of the order of protection. Except as provided in subparagraph (E), the respondent is prohibited from transferring firearms or firearm parts to another individual in lieu of surrender to law enforcement. The law enforcement agency shall provide an itemized statement of receipt to the

respondent and the court describing any seized or surrendered firearms or firearm parts and informing the respondent that the respondent may seek the return of the respondent's items at the end of the order of protection. The law enforcement agency may enter arrangements, as needed, with federally licensed firearm dealers or other law enforcement agencies for the storage of any firearms seized or surrendered under this subsection.

(ii) It is the respondent's responsibility to request the return or reinstatement of any Firearm Owner's Identification Card or Concealed Carry License and notify the Illinois State Police Firearm Owner's Identification Card Office at the end of the Order of Protection.

(iii) At the end of the order of protection, a respondent may request the return of any seized or surrendered firearms or firearm parts that could be assembled to make an operable firearm. Such firearms or firearm parts shall be returned within 14 days of the request to the respondent, if the respondent is lawfully eligible to possess firearms, or to a designated third party who is lawfully eligible to possess firearms. If the firearms or firearm parts cannot be returned to respondent because (1) the respondent has not requested the return or transfer of the firearms or firearm parts as set forth in this subparagraph, and (2) the respondent cannot be located or fails to respond to more than 3 requests to retrieve the firearms or firearm parts the court may, or is not lawfully eligible to possess a firearm, upon petition from the appropriate law enforcement agency and notice to the respondent at the respondent's last known address, order the law enforcement agency to destroy the firearms or firearm parts; use the firearms or firearm parts for training purposes or for any other application as deemed appropriate by the law enforcement agency; or turn over the firearm or firearm parts to a third party who is lawfully eligible to possess firearms, and who does not reside with respondent.

(D)(i) If a person other than the respondent claims title to any firearms and firearm parts that could be assembled to make an operable firearm seized or surrendered under this subsection, the person may petition the court to have the firearm and firearm parts that could be assembled to make an operable firearm returned to him or her with proper notice to the petitioner and respondent. If, at a hearing on the petition, the court determines the person to be the lawful owner of the firearm and firearm parts that could be assembled to make an operable firearm, the firearm and firearm parts that could be assembled to make an operable firearm shall be returned to the person, provided that:

(aa) the firearm and firearm parts that could be assembled to make an operable firearm are removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm and firearm parts that could be assembled to make an operable firearm in a manner such that the respondent does not have access to or control of the firearm and firearm parts that could be assembled to make an operable firearm; and

(bb) the firearm and firearm parts that could be assembled to make an operable firearm are not otherwise unlawfully possessed by the owner.

(ii) The person petitioning for the return of his or her firearm and firearm parts that could be assembled to make an operable firearm must swear or affirm by affidavit that he or she:

(aa) is the lawful owner of the firearm and firearm parts that could be assembled to make an operable firearm;

(bb) shall not transfer the firearm and firearm parts that could be assembled to make an operable firearm to the respondent; and

(cc) will store the firearm and firearm parts that could be assembled to make an operable firearm in a manner that the respondent does not have access to or control of the firearm and firearm parts that could be assembled to make an operable firearm.

(E)(i) The respondent may file a motion to transfer, at the next scheduled hearing, any seized or surrendered firearms or firearm parts to a third party. Notice of the motion shall be provided to the petitioner and the third party must appear at the hearing.

(ii) The court may order transfer of the seized or surrendered firearm or firearm parts only if:

(aa) the third party transferee affirms by affidavit and to the open court that:

(I) the third party transferee does not reside with the respondent;

(II) the respondent does not have access to the location in which the third party transferee intends to keep the firearms or firearm parts;

(III) the third party transferee will not transfer the firearm or firearm parts to the respondent or anyone who resides with the respondent;

(IV) the third party transferee will maintain control and possession of the firearm or firearm parts until otherwise ordered by the court; and

(V) the third party transferee is aware that transferring the firearms or firearm parts or allowing the respondent access to the firearms or firearm parts would be a violation of Section 24-3 of the Criminal Code of 2012 ~~will be subject to criminal penalties for transferring the firearms or firearm parts to the respondent;~~ and

(bb) the court finds that:

(I) the third party respondent holds a valid Firearm Owner's Identification; and

(II) the transfer of firearms or firearm parts to the third party transferee does not place the petitioner or any other protected parties at any additional threat or risk of harm.

(15) Prohibition of access to records. If an order of protection prohibits respondent from having contact with the minor child, or if petitioner's address is omitted under subsection (b) of Section 203, or if necessary to prevent abuse or wrongful removal or concealment of a minor child, the order shall deny respondent access to, and prohibit respondent from inspecting, obtaining, or attempting to inspect or obtain, school or any other records of the minor child who is in the care of petitioner.

(16) Order for payment of shelter services. Order respondent to reimburse a shelter providing temporary housing and counseling services to the petitioner for the cost of the services, as certified by the shelter and deemed reasonable by the court.

(17) Order for injunctive relief. Enter injunctive relief necessary or appropriate to prevent further abuse of a family or household member or further abuse, neglect, or exploitation of a high-risk adult with disabilities or to effectuate one of the granted remedies, if supported by the balance of hardships. If the harm to be prevented by the injunction is abuse or any other harm that one of the remedies listed in paragraphs (1) through (16) of this subsection is designed to prevent, no further evidence is necessary that the harm is an irreparable injury.

(18) Telephone services.

(A) Unless a condition described in subparagraph (B) of this paragraph exists, the court may, upon request by the petitioner, order a wireless telephone service provider to transfer to the petitioner the right to continue to use a telephone number or numbers indicated by the petitioner and the financial responsibility associated with the number or numbers, as set forth in subparagraph (C) of this paragraph. For purposes of this paragraph (18), the term "wireless telephone service provider" means a provider of commercial mobile service as defined in 47 U.S.C. 332. The petitioner may request the transfer of each telephone number that the petitioner, or a minor child in his or her custody, uses. The clerk of the court shall serve the order on the wireless telephone service provider's agent for service of process provided to the Illinois Commerce Commission. The order shall contain all of the following:

(i) The name and billing telephone number of the account holder including the name of the wireless telephone service provider that serves the account.

(ii) Each telephone number that will be transferred.

(iii) A statement that the provider transfers to the petitioner all financial responsibility for and right to the use of any telephone number transferred under this paragraph.

(B) A wireless telephone service provider shall terminate the respondent's use of, and shall transfer to the petitioner use of, the telephone number or numbers indicated in subparagraph (A) of this paragraph unless it notifies the petitioner, within 72 hours after it receives the order, that one of the following applies:

(i) The account holder named in the order has terminated the account.

(ii) A difference in network technology would prevent or impair the functionality of a device on a network if the transfer occurs.

(iii) The transfer would cause a geographic or other limitation on network or service provision to the petitioner.

(iv) Another technological or operational issue would prevent or impair the use of the telephone number if the transfer occurs.

(C) The petitioner assumes all financial responsibility for and right to the use of any telephone number transferred under this paragraph. In this paragraph, "financial responsibility" includes monthly service costs and costs associated with any mobile device associated with the number.

(D) A wireless telephone service provider may apply to the petitioner its routine and customary requirements for establishing an account or transferring a number, including requiring the petitioner to provide proof of identification, financial information, and customer preferences.

(E) Except for willful or wanton misconduct, a wireless telephone service provider is immune from civil liability for its actions taken in compliance with a court order issued under this paragraph.

(F) All wireless service providers that provide services to residential customers shall provide to the Illinois Commerce Commission the name and address of an agent for service of orders entered under this paragraph (18). Any change in status of the registered agent must be reported to the Illinois Commerce Commission within 30 days of such change.

(G) The Illinois Commerce Commission shall maintain the list of registered agents for service for each wireless telephone service provider on the Commission's website. The Commission may consult with wireless telephone service providers and the Circuit Court Clerks on the manner in which this information is provided and displayed.

(c) Relevant factors; findings.

(1) In determining whether to grant a specific remedy, other than payment of support, the court shall consider relevant factors, including but not limited to the following:

(i) the nature, frequency, severity, pattern and consequences of the respondent's past abuse, neglect or exploitation of the petitioner or any family or household member, including the concealment of his or her location in order to evade service of process or notice, and the likelihood of danger of future abuse, neglect, or exploitation to petitioner or any member of petitioner's or respondent's family or household; and

(ii) the danger that any minor child will be abused or neglected or improperly relocated from the jurisdiction, improperly concealed within the State or improperly separated from the child's primary caretaker.

(2) In comparing relative hardships resulting to the parties from loss of possession of the family home, the court shall consider relevant factors, including but not limited to the following:

(i) availability, accessibility, cost, safety, adequacy, location and other characteristics of alternate housing for each party and any minor child or dependent adult in the party's care;

(ii) the effect on the party's employment; and

(iii) the effect on the relationship of the party, and any minor child or dependent adult in the party's care, to family, school, church and community.

(3) Subject to the exceptions set forth in paragraph (4) of this subsection, the court shall make its findings in an official record or in writing, and shall at a minimum set forth the following:

(i) That the court has considered the applicable relevant factors described in paragraphs (1) and (2) of this subsection.

(ii) Whether the conduct or actions of respondent, unless prohibited, will likely cause irreparable harm or continued abuse.

(iii) Whether it is necessary to grant the requested relief in order to protect petitioner or other alleged abused persons.

(4) For purposes of issuing an ex parte emergency order of protection, the court, as an alternative to or as a supplement to making the findings described in paragraphs (c)(3)(i) through (c)(3)(iii) of this subsection, may use the following procedure:

When a verified petition for an emergency order of protection in accordance with the requirements of Sections 203 and 217 is presented to the court, the court shall examine petitioner on oath or affirmation. An emergency order of protection shall be issued by the court if it appears from the contents of the petition and the examination of petitioner that the averments are sufficient to indicate abuse by respondent and to support the granting of relief under the issuance of the emergency order of protection.

(5) Never married parties. No rights or responsibilities for a minor child born outside of marriage attach to a putative father until a father and child relationship has been established under the Illinois Parentage Act of 1984, the Illinois Parentage Act of 2015, the Illinois Public Aid Code, Section 12 of the Vital Records Act, the Juvenile Court Act of 1987, the Probate Act of 1975, the Revised Uniform Reciprocal Enforcement of Support Act, the Uniform Interstate Family Support Act, the Expedited Child Support Act of 1990, any judicial, administrative, or other act of another state or territory, any other Illinois statute, or by any foreign nation establishing the father and child relationship, any other proceeding substantially in conformity with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193), or where both parties appeared in open court or at an administrative hearing acknowledging under oath or admitting by affirmation the existence of a father and child relationship. Absent such an adjudication, finding, or acknowledgment, no putative father shall be granted temporary allocation of parental responsibilities, including parenting time with the minor child, or physical care and possession of the minor child, nor shall an order of payment for support of the minor child be entered.

(d) Balance of hardships; findings. If the court finds that the balance of hardships does not support the granting of a remedy governed by paragraph (2), (3), (10), (11), or (16) of subsection (b) of this Section, which may require such balancing, the court's findings shall so indicate and shall include a finding as to whether granting the remedy will result in hardship to respondent that would substantially outweigh the hardship to petitioner from denial of the remedy. The findings shall be an official record or in writing.

(e) Denial of remedies. Denial of any remedy shall not be based, in whole or in part, on evidence that:

(1) Respondent has cause for any use of force, unless that cause satisfies the standards for justifiable use of force provided by Article 7 of the Criminal Code of 2012;

(2) Respondent was voluntarily intoxicated;

(3) Petitioner acted in self-defense or defense of another, provided that, if petitioner utilized force, such force was justifiable under Article 7 of the Criminal Code of 2012;

(4) Petitioner did not act in self-defense or defense of another;

(5) Petitioner left the residence or household to avoid further abuse, neglect, or exploitation by respondent;

(6) Petitioner did not leave the residence or household to avoid further abuse, neglect, or exploitation by respondent;

(7) Conduct by any family or household member excused the abuse, neglect, or exploitation by respondent, unless that same conduct would have excused such abuse, neglect, or exploitation if the parties had not been family or household members.

(Source: P.A. 102-538, eff. 8-20-21; 103-1065, eff. 5-11-25.)"

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 Guzmán, **Senate Bill No. 3341** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 3471** 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. 3669** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Education.

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

On motion of Senator Villanueva, **Senate Bill No. 3772** having been printed, was taken up, read by title a second time.

Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3772

AMENDMENT NO. 1. Amend Senate Bill 3772 by replacing everything after the enacting clause with the following:

[April 16, 2026]

"Section 5. The Environmental Protection Act is amended by adding Section 39.16 as follows:
(415 ILCS 5/39.16 new)

Sec. 39.16. Air Pollution Control Construction Permitting in Areas of Environmental Justice Concern.

(a) Legislative Findings. The General Assembly finds that:

(1) all residents of this State have a right to a healthful environment under Article XI of the Illinois Constitution of 1970;

(2) no community should bear disproportionate and adverse effects from pollution;

(3) in 2024, the Agency entered in an Informal Resolution Agreement with the United States Environmental Protection Agency requiring, among other things, enhancements to its permit review process for certain permit transactions in areas of environmental justice concern; and

(4) such enhancements to the Agency's permit review process are necessary to avoid the imposition of disproportionate and adverse effects to communities in areas of environmental justice concern, as such areas are identified herein.

The provisions of this Section shall be liberally construed to carry out the purposes of this Section.

(b) Definitions. For purposes of this Section:

"Area of environmental justice concern" or "area of EJ concern" means a geographical area, the population of which potentially experiences disproportionate environmental harms and risks as a result of both environmental and socioeconomic conditions that may act cumulatively to affect health and the environment and contribute to persistent environmental health disparities. "Area of EJ concern" shall include all census block groups, and all areas within one mile of such census block groups, identified and updated by the Agency on a triennial basis as being within the top 25% of census blocks statewide, scored by multiplying each census block group's average statewide percentile for each of the following environmental indicators, by the census block group's average statewide percentile for each of the following socioeconomic indicators:

Environmental indicators:

(1) annual average concentration of particulate matter less than 2.5 microns or smaller in diameter;

(2) annual average concentration of ozone;

(3) annual average concentration of nitrogen dioxide;

(4) annual average concentration of diesel particulate matter;

(5) annual average toxicity-weighted concentrations of Toxic Release Inventory-listed chemicals;

(6) vehicle traffic;

(7) drinking water violations that have not been returned to compliance;

(8) percentage of housing units built pre-1960;

(9) number of proposed or listed National Priorities List sites;

(10) number of facilities with Risk Management Plans;

(11) number of treatment, storage, and disposal and large-quantity generator hazardous waste facilities;

(12) number of leaking underground storage tanks and underground storage tanks; and

(13) toxics concentrations at stream segments.

Socioeconomic indicators - percentage of population:

(1) with household income less than or equal to twice the federal poverty level;

(2) unemployed;

(3) living in limited English proficiency households;

(4) aged 25 or older whose education is short of a high school diploma;

(5) under the age of 5; and

(6) over the age of 64.

Environmental indicators (7) through (13) are given half the weight of environmental indicators (1) through (6) in calculating the averaged percentile.

(c) Applicability. This Section applies to the following permits for which an owner or operator applies on or after January 1, 2027:

(1) a construction permit for a new source that is to be located in an area of EJ concern and that will require a Clean Air Act Permit Program permit, or a Federally Enforceable State Operating Permit issued by the Agency under Section 39.5 of this Act;

(2) a construction permit for any existing source that is located in an area of EJ concern, that possesses a Clean Air Act Permit Program permit, or a Federally Enforceable State Operating Permit issued by the Agency under Section 39.5 of this Act and that seeks an increase in annual permitted emissions; or

(3) a construction permit for any existing source that is located in an area of EJ concern, that seeks an increase in annual permitted emissions and that will require a new Clean Air Act Permit Program permit, or a Federally Enforceable State Operating Permit issued by the Agency under Section 39.5 of this Act for the first time.

(d) Review of permit applications; notifications. Upon receipt of an air pollution control construction permit application, the Agency shall evaluate the application to:

(1) determine whether the source falls within an area of EJ concern. Based on this review, the Agency shall send an EJ notification letter to elected officials, community groups, and individuals who have requested to be notified, to provide information about the proposed project and how an individual can request a public hearing on a permit application;

(2) determine whether emissions increases from the proposed project can be reduced or voluntarily limited by the applicant to avoid or minimize potential air emission increases to any affected area(s) of EJ concern. This includes, but is not limited to, establishment of lower thresholds for potential-to-emit, installation of alternative pollution controls, and decreased utilization of other units at the facility; and

(3) determine the need for the applicant to conduct additional air quality modeling to confirm that the project will not threaten or compromise existing National Ambient Air Quality Standards or other applicable standards appropriate for comparison with other pollutants of concern.

(e) Permit enhancements.

(1) The Agency shall evaluate and, if necessary to comply with this Act, include appropriate permit enhancements to address potential air emission increases to an area of EJ concern. These enhancements may include, but are not limited to:

(A) improved air monitoring systems, including parametric and continuous monitoring systems;

(B) development of a fugitive dust operating program/plan or enhancements to an existing program/plan;

(C) operational requirements to establish limits on potential-to-emit or to demonstrate source compliance with an emission rate;

(D) increased use or frequency of emissions testing;

(E) development of enforceable requirements to go into the construction permit to assure that the source meets modeling assumptions used in the air quality modeling (including hours of operation, operating requirements, operating schedule, meteorological assumptions, property boundaries, etc.);

(F) development of an odor control plan to identify and mitigate potential off-site odor impacts from the project;

(G) development of odor monitoring of third-party complaints, including a process for tracking complaints and inspecting affected process operations known to be capable of causing air pollution;

(H) discretionary use of prior adjudications of violations of this Act and regulations adopted thereunder by the applicant that involve a release of a contaminant into the environment in evaluating the permit application;

(I) discretionary use of reasonable conditions specifically related to an applicant's past compliance history with this Act and regulations adopted thereunder as necessary to correct, detect, or prevent noncompliance;

(J) use of pollution prevention techniques; or

(K) applicant outreach, independent of the permit review process, with the affected community.

(2) The Agency may also conduct further analysis, as needed, to inform its permit decision, including:

(A) consideration of information relating to other sources permitted by the Agency or the United States Environmental Protection Agency;

(B) information relating to regulated sources under State or federal environmental laws;

(C) data bearing upon the classification of an area of EJ concern;

(D) location of sensitive populations or places near the proposed facility, including schools, hospitals, day care centers, and culturally significant resources;

(E) factors that may increase community exposure or vulnerability as compared to other populations; or

(F) consultation with the United States Environmental Protection Agency or other state and federal regulatory authorities regarding additional areas of study.

(3) If the Agency's analysis described in this Section shows disproportionate and adverse effects, the Agency shall consider making additional refinements to the project emissions analysis, air quality modeling, or permit enhancements; prioritizing compliance inspections and any resulting enforcement initiatives of an applicant's existing permitted source or other contributing sources to the affected area, with the aim of reducing existing adverse impacts; prioritizing grant funding for projects in the affected community; and conducting consultations with the United States Environmental Protection Agency or other state and federal agencies relating to potential mitigation options, including fence-line monitoring, risk assessments, or rulemakings.

(f) Issuance of permits.

(1) In making its determination on permit applications identified in Section 39.16(2) of this Act, the Agency shall consider prior adjudications of noncompliance with this Act and regulations adopted thereunder by the applicant. In granting permits, the Agency shall consider whether to impose reasonable conditions specifically related to the applicant's past compliance history with this Act and regulations adopted thereunder as necessary to correct, detect, or prevent noncompliance. This may include consideration of:

(A) information contained within USEPA's and the Agency's environmental compliance tracking system;

(B) information submitted in public comments to a construction permit application pending review;

(C) judicial or administrative consent decrees or compliance orders that are entered into, or issued by, USEPA involving requirements of the Illinois State Implementation Plan; or

(D) information relating to State-only compliance history.

(2) The Agency shall prepare a written analysis of its evaluation of compliance enforcement history, as well as any additional civil rights analysis or mitigation measures undertaken. The analysis shall be prepared before a notice of public comment or hearing concerning a draft construction permit and must be posted among the documents available on the Agency's public notice website or public repository. If no public participation is provided for under Agency rules, the analysis shall be posted to the Agency's public notice webpage at the time of permit issuance.

(g) Severability. If any provision of this Section or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Section that can be given effect without the invalid provision or application.

Section 10. The Environmental Justice Act is amended by adding Section 18 as follows:

(415 ILCS 155/18 new)

Sec. 18. Office of Environmental Justice. An Office of Environmental Justice is established within the Illinois Environmental Protection Agency. The Office shall coordinate the integration of environmental justice into Agency programs and activities, oversee implementation of language access policies, and provide enhanced public outreach to areas of environmental justice concern. The Director shall appoint an Environmental Justice Officer within the Office of Environmental Justice to administer the Office.

Section 97. Severability. If any provision of this Amendatory Act of the 104th General Assembly or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Amendatory Act of the 104th General Assembly that can be given effect without the invalid provision or application.

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

The motion prevailed.

[April 16, 2026]

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 Guzmán, **Senate Bill No. 3798** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3798

AMENDMENT NO. 1. Amend Senate Bill 3798 by replacing everything after the enacting clause with the following:

"Section 5. 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.

(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. The training shall also include an overview of the Community Emergency Services and Support Act.

(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.

(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 10. The Illinois Police Training Act is amended by changing Section 10.17 as follows:

(50 ILCS 705/10.17)

Sec. 10.17. Crisis Intervention Team (CIT) training; mental health awareness training; certified therapy dog team training and certification.

(a) The Illinois Law Enforcement Training Standards Board shall develop and approve a standard curriculum for certified training programs in crisis intervention, including a specialty certification course of at least 40 hours, addressing specialized policing responses to people with mental illnesses. The Board shall conduct Crisis Intervention Team (CIT) 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 that person in crisis to treatment. Crisis Intervention Team (CIT) training programs shall be a collaboration between law enforcement professionals, mental health providers, families, and consumer advocates and must minimally include the following components: (1) basic information about mental illnesses and how to recognize them; (2) information about mental health laws and resources; (3) learning

from family members of individuals with mental illness and their experiences; ~~and~~ (4) verbal de-escalation training and role-plays; and (5) community response options including, the community response options under the Community Emergency Services and Support Act. Officers who have successfully completed this program shall be issued a certificate attesting to their attendance of a Crisis Intervention Team (CIT) training program.

(b) The Board shall create an introductory course incorporating adult learning models that provides law enforcement officers with an awareness of mental health issues including a history of the mental health system, types of mental health illness including signs and symptoms of mental illness and common treatments and medications, and the potential interactions law enforcement officers may have on a regular basis with these individuals, their families, and service providers including de-escalating a potential crisis situation. This course, in addition to other traditional learning settings, may be made available in an electronic format.

(c) The Board shall develop a course and certification program for certified therapy dog teams consisting of officers employing the use of therapy dogs in relation to crisis and emergency response. This program shall aim to ensure that Crisis Intervention Team (CIT) officers and therapy dog teams are available in various regions throughout the State to be dispatched in the event of a crisis.

(d) The Board may include model policies regarding community response procedures on its website and may distribute educational and training materials created in consultation with the Department of Human Services to law enforcement agencies throughout the State.

The amendatory changes to this Section made by Public Act 101-652 shall take effect January 1, 2022.

(Source: P.A. 104-106, eff. 1-1-26.)

Section 15. The Emergency Telephone System Act is amended by changing Section 2 and by adding Sections 7.2 and 7.3 as follows:

(50 ILCS 750/2) (from Ch. 134, par. 32)

(Section scheduled to be repealed on December 31, 2027)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

"9-1-1 network" means the network used for the delivery of 9-1-1 calls and messages over dedicated and redundant facilities to a primary or backup 9-1-1 PSAP that meets the appropriate grade of service.

"9-1-1 system" means the geographic area that has been granted an order of authority by the Commission or the Statewide 9-1-1 Administrator to use "9-1-1" as the primary emergency telephone number, including, but not limited to, the network, software applications, databases, CPE components and operational and management procedures required to provide 9-1-1 service.

"9-1-1 Authority" means an Emergency Telephone System Board or Joint Emergency Telephone System Board that provides for the management and operation of a 9-1-1 system. "9-1-1 Authority" includes the Illinois State Police only to the extent it provides 9-1-1 services under this Act.

"9-1-1 System Manager" means the manager, director, administrator, or coordinator who at the direction of his or her Emergency Telephone System Board is responsible for the implementation and execution of the order of authority issued by the Commission or the Statewide 9-1-1 Administrator through the programs, policies, procedures, and daily operations of the 9-1-1 system consistent with the provisions of this Act.

"Administrator" means the Statewide 9-1-1 Administrator.

"Advanced service" means any telecommunications service with or without dynamic bandwidth allocation, including, but not limited to, ISDN Primary Rate Interface (PRI), that, through the use of a DS-1, T-1, or other un-channelized or multi-channel transmission facility, is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency.

"Aggregator" means an entity that ingresses 9-1-1 calls of multiple traffic types or 9-1-1 calls from multiple originating service providers and combines them on a trunk group or groups (or equivalent egress connection arrangement to a 9-1-1 system provider's NG9-1-1 network or system), and that uses the routing information provided in the received call setup signaling to select the appropriate trunk group and proceeds to signal call setup toward the 9-1-1 system provider. "Aggregator" includes an originating service provider that provides aggregation functions for its own 9-1-1 calls. "Aggregator" also includes an aggregation network or an aggregation entity that provides aggregator services for other types of system providers, such as cloud-based services or enterprise networks as its client.

"ALI" or "automatic location identification" means the automatic display at the public safety answering point of the address or location of the caller's telephone and supplementary emergency services information of the location from which a call originates.

"ANI" or "automatic number identification" means the automatic display of the 10-digit telephone number associated with the caller's telephone number.

"Automatic alarm" and "automatic alerting device" mean any device that will access the 9-1-1 system for emergency services upon activation and does not provide for two-way communication.

"Answering point" means a PSAP, SAP, Backup PSAP, Unmanned Backup Answering Point, or VAP.

"Authorized entity" means an answering point or participating agency other than a decommissioned PSAP.

"Backup PSAP" means an answering point that meets the appropriate standards of service and serves as an alternate to the PSAP operating independently from the PSAP at a different location that has the capability to direct dispatch for the PSAP or otherwise transfer emergency calls directly to an authorized entity. A backup PSAP may accept overflow calls from the PSAP or be activated if the primary PSAP is disabled.

"Board" means an Emergency Telephone System Board or a Joint Emergency Telephone System Board created pursuant to Section 15.4.

"Bylaws" means a set of regulations that ensure consistent and agreed upon voting and decision-making procedures.

"Call back number" means a number used by a PSAP to recontact a location from which a 9-1-1 call was placed, regardless of whether that number is a direct-dial number for a station used to originate a 9-1-1 call.

"Carrier" includes a telecommunications carrier and a wireless carrier.

"Commission" means the Illinois Commerce Commission.

"Computer aided dispatch" or "CAD" means a computer-based system that aids public safety telecommunicators or telecommunicator supervisors by automating selected dispatching and recordkeeping activities.

"Direct dispatch" means a 9-1-1 service wherein upon receipt of an emergency call, a public safety telecommunicator or telecommunicator supervisors transmits, without delay, transfer, relay, or referral, all relevant available information to the appropriate public safety personnel or emergency responders.

"Dispatchable location" means a location delivered to the PSAP with a 9-1-1 call that consists of the validated street address of the calling party, plus additional information, such as a suite or apartment identifier, uncertainty data, or similar information, necessary to accurately identify the location of the calling party.

"Decommissioned" means the revocation of a PSAP's authority to handle 9-1-1 calls as an answering point within the 9-1-1 network.

"Diversion" means the obligation or expenditure of a 9-1-1 fee or charge for a purpose or function other than the purposes and functions designated by the Federal Communications Commission as acceptable under 47 CFR 9.23. "Diversion" includes distribution of a 9-1-1 fee or charge to a political subdivision that obligates or expends such fees for a purpose or function other than those designated as acceptable by the Federal Communications Commission under 47 CFR 9.23.

"DS-1, T-1, or similar un-channelized or multi-channel transmission facility" means a facility that can transmit and receive a bit rate of at least 1.544 megabits per second (Mbps).

"Dynamic bandwidth allocation" means the ability of the facility or customer to drop and add channels, or adjust bandwidth, when needed in real time for voice or data purposes.

"Emergency call" means any type of request for emergency assistance through a 9-1-1 network either to the digits 9-1-1 or the emergency 24/7 10-digit telephone number for all answering points. An emergency call is not limited to a voice telephone call. It could be a two-way video call, an interactive text, Teletypewriter (TTY), an SMS, an Instant Message, or any new mechanism for communications available in the future. An emergency call occurs when the request for emergency assistance is received by a public safety telecommunicator.

"Emergency Telephone System Board" or "ETSB" means (i) a board appointed by the corporate authorities of any county or municipality to provide for the management and operation of a 9-1-1 system within the scope of the duties and powers prescribed by this Act or (ii) a joint Emergency Telephone System Board.

"EMS personnel" has the meaning given to that term in Section 3.5 of the Emergency Medical Services (EMS) Systems Act.

"First responder" means someone designated by a public safety agency who is charged with responding to emergency service requests, including emergency communications professionals, public safety telecommunicators, public safety telecommunicator supervisors, and police, fire, and EMS personnel who operate in the field.

"Grade of service" means the NENA Baseline NG9-1-1 as set forth in the NENA i3 Solution prevailing national standard.

"Hearing-impaired individual" means a person with a permanent hearing loss who can regularly and routinely communicate by telephone only through the aid of devices which can send and receive written messages over the telephone network.

"Hosted supplemental 9-1-1 service" means a database service that:

- (1) electronically provides information for 9-1-1 call takers when a call is placed to 9-1-1;
- (2) allows telephone subscribers to provide information to 9-1-1 to be used in emergency scenarios;
- (3) collects a variety of formatted data relevant to 9-1-1 and first responder needs, which may include, but is not limited to, photographs of the telephone subscribers, physical descriptions, medical information, household data, and emergency contacts;
- (4) allows for information to be entered by telephone subscribers through a secure website where they can elect to provide as little or as much information as they choose;
- (5) automatically displays data provided by telephone subscribers to 9-1-1 call takers for all types of telephones when a call is placed to 9-1-1 from a registered and confirmed phone number;
- (6) (blank);
- (7) (blank);
- (8) (blank);
- (9) supports the delivery of telephone subscriber information through a secure internet connection to all emergency telephone system boards;
- (10) works across all 9-1-1 call-taking equipment and allows for the easy transfer of information into a computer aided dispatch system; and
- (11) may be used to collect information pursuant to an Illinois Premise Alert Program as defined in the Illinois Premise Alert Program (PAP) Act.

"Interconnected voice service" means a telecommunications service that:

- (1) allows users to make and receive calls to and from the public switched telephone network or other phone lines, including both traditional landline and mobile services;
- (2) enables users to make or receive voice calls to or from telephone numbers assigned to the public switched telephone network, including calls to and from emergency services;
- (3) requires a connection to the public switched telephone network (PSTN) either directly or through other interconnected services;
- (4) supports standard telephone functions, such as making and receiving calls, voicemail, and the ability to connect with other telephone networks;
- (5) complies with various FCC regulations to ensure user safety, including the requirement to support 9-1-1 services, allowing emergency responders to locate the caller; and
- (6) can be provided over various technologies, including traditional telephone lines, broadband Internet connections via VoIP, and mobile networks.

"Interconnected voice service" includes voice over Internet protocol (VoIP) services that are integrated into the public telephone system and the availability of other essential services like number portability and accessibility for people with disabilities.

"Interconnected voice over Internet protocol provider" or "Interconnected VoIP provider" has the meaning given to that term under Section 13-235 of the Public Utilities Act.

"Joint Emergency Telephone System Board" or "Joint ETSB" means a Joint Emergency Telephone System Board established by intergovernmental agreement of two or more municipalities or counties, or a combination thereof, to provide for the management and operation of a 9-1-1 system.

"Key telephone system" means a type of MLTS designed to provide shared access to several outside lines through buttons or keys typically offering identified access lines with direct line appearance or termination on a given telephone set.

"Local public agency" means any unit of local government or special purpose district located in whole or in part within this State that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services.

"Mechanical dialer" means any device that accesses the 9-1-1 system without human intervention and does not provide for two-way communication.

"Master Street Address Guide" or "MSAG" is a database of street names and house ranges within their associated communities defining emergency service zones (ESZs) and their associated emergency service numbers (ESNs) to enable proper routing of 9-1-1 calls.

"Mobile telephone number" or "MTN" means the telephone number assigned to a wireless telephone at the time of initial activation.

"Multi-line telephone system" or "MLTS" means a system composed of common control units, telephone sets, control hardware and software, and adjunct systems, including network and premises-based systems, such as Centrex and VoIP, as well as PBX, hybrid, and key telephone systems (as classified by the Federal Communications Commission under 47 CFR Part 68, which includes systems owned or leased by governmental agencies, nonprofit entities, and for-profit businesses. "Multi-line telephone system" or "MLTS" includes the full range of networked communication systems that serve enterprises, including IP-based and cloud-based systems. "Multi-line telephone system" or "MLTS" also includes outbound-only MLTS that allow users to make 9-1-1 calls but do not enable PSAPs to place a return call directly to the 9-1-1 caller.

"Network connections" means the number of voice grade communications channels directly between a subscriber and a telecommunications carrier's public switched network, without the intervention of any other telecommunications carrier's switched network, which would be required to carry the subscriber's inter-premises traffic and which connection either (1) is capable of providing access through the public switched network to a 9-1-1 Emergency Telephone System, if one exists, or (2) if no system exists at the time a surcharge is imposed under Section 15.3 or 20, that would be capable of providing access through the public switched network to the local 9-1-1 Emergency Telephone System if one existed. Where multiple voice grade communications channels are connected to a telecommunications carrier's public switched network through a private branch exchange (PBX) service, there shall be determined to be one network connection for each trunk line capable of transporting either the subscriber's inter-premises traffic to the public switched network or the subscriber's 9-1-1 calls to the public agency. Where multiple voice grade communications channels are connected to an OSP's public switched network through Centrex type service, the number of network connections shall be equal to the number of PBX trunk equivalents for the subscriber's service or other multiple voice grade communication channels facility, as determined by reference to any generally applicable exchange access service tariff filed by the subscriber's telecommunications carrier with the Commission.

"Network costs" means those recurring costs that directly relate to the operation of the 9-1-1 network as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, some or all of the following: costs for interoffice trunks, selective routing charges, transfer lines and toll charges for 9-1-1 services, Automatic Location Information (ALI) database charges, independent local exchange carrier charges and non-system provider charges, carrier charges for third party database for on-site customer premises equipment, ~~backup~~ ~~back up~~ PSAP trunks for non-system providers, periodic database updates as provided by carrier (also known as "ALI data dump"), regional ALI storage charges, circuits for call delivery (fiber or circuit connection), NG9-1-1 costs, and all associated fees, taxes, and surcharges on each invoice. "Network costs" shall not include radio circuits or toll charges that are other than for 9-1-1 services.

"Next generation 9-1-1" or "NG9-1-1" means a secure Internet Protocol-based (IP-based) open-standards system comprised of hardware, software, data, and operational policies and procedures that:

- (A) provides standardized interfaces from emergency call and message services to support emergency communications;
- (B) processes all types of emergency calls, including voice, text, data, and multimedia information;
- (C) acquires and integrates additional emergency call data useful to call routing and handling;
- (D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities based on the location of the caller;

(E) supports data, video, and other communications needs for coordinated incident response and management; and

(F) interoperates with services and networks used by first responders to facilitate emergency response.

"Next generation 9-1-1 costs" or "NG9-1-1 costs" means those recurring costs that directly relate to the next generation 9-1-1 service as determined by the Statewide 9-1-1 Administrator with the advice of the Statewide 9-1-1 Advisory Board, which may include, but need not be limited to, costs for NENA i3 Core Components (Border Control Function (BCF), Emergency Call Routing Function (ECRF), Location Validation Function (LVF), Emergency Services Routing Proxy (ESRP), Policy Store/Policy Routing Functions (PSPRF), Location Information Servers (LIS)), Statewide ESInet, and software external to the PSAP (data collection, identity management, aggregation, and GIS functionality).

"Next generation 9-1-1 core services" or "NGCS" means a set of services needed to process a 9-1-1 call on an ESInet. "Next generation 9-1-1 core services" or "NGCS" includes, but is not limited to, the ESRP, ECRF, LVF, BCF, bridge, policy store, logging services, and typical IP services, including DNS and DHCP. "Next generation 9-1-1 core services" or "NGCS" does not include the network on which the services operate.

"Originating service provider" or "OSP" means the entity that provides services to end users that may be used to originate voice or nonvoice 9-1-1 requests for assistance and who would interconnect, in any of various fashions, to the 9-1-1 system provider for purposes of delivering 9-1-1 traffic to the public safety answering points.

"Primary place of use" or "PPU" means the residential street address or the primary business street address where a customer primarily uses the mobile telecommunications service. "Primary place of use" or "PPU" does not include a post office box address.

"Public agency" means the State, and any unit of local government or special purpose district located in whole or in part within this State, that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services.

"Public safety agency" means a functional division of a public agency that provides firefighting, police, medical, or other emergency services to respond to and manage emergency incidents. For the purpose of providing wireless service to users of 9-1-1 emergency services, as expressly provided for in this Act, the Illinois State Police may be considered a public safety agency.

"Public safety answering point" or "PSAP" means the primary answering location of an emergency call that meets the appropriate standards of service and is responsible for receiving and processing those calls and events according to a specified operational policy.

"PSAP representative" means the manager or supervisor of a public safety answering point ~~Public Safety Answering Point (PSAP)~~ who oversees the daily operational functions and is responsible for the overall management and administration of the PSAP.

"Public safety telecommunicator" means any person employed in a full-time or part-time capacity at an answering point whose duties or responsibilities include answering, receiving, or transferring an emergency call for dispatch to the appropriate emergency responder.

"Public safety telecommunicator supervisor" means any person employed in a full-time or part-time capacity at an answering point or by a 9-1-1 Authority, whose primary duties or responsibilities are to direct, administer, or manage any public safety telecommunicator and whose responsibilities include answering, receiving, or transferring an emergency call for dispatch to the appropriate emergency responders.

"Referral" means a 9-1-1 service in which the public safety telecommunicator provides the calling party with the telephone number of the appropriate public safety agency or other provider of emergency services.

"Regular service" means any telecommunications service, other than advanced service, that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency.

"Relay" means a 9-1-1 service in which the public safety telecommunicator takes the pertinent information from a caller and relays that information to the appropriate public safety agency or other provider of emergency services.

"Remit period" means the billing period, one month in duration, for which a wireless carrier remits a surcharge and provides subscriber information by zip code to the Illinois State Police, in accordance with Section 20 of this Act.

"Secondary Answering Point" or "SAP" means a location, other than a PSAP, that is able to receive the voice, data, and call back number of NG9-1-1 emergency calls transferred from a PSAP and completes the call taking process by dispatching police, medical, fire, or other emergency responders.

"Shared telecommunications services" means the provision of telecommunications and information management services and equipment within a user group located in discrete private premises in building complexes, campuses, or high-rise buildings by a commercial shared services provider or by a user association, through privately owned customer premises equipment and associated data processing and information management services. The term "shared telecommunications services" includes the provisioning of connections to the facilities of a local exchange carrier or an interexchange carrier.

"Statewide behavioral health crisis system" means the core elements or pillars of the crisis system and includes, but is not limited to, Illinois 9-8-8 Lifeline Contact Centers, community crisis response services, including mobile crisis teams, and crisis receiving and stabilization facilities and programs, including living room programs.

"Subscriber" means an individual or entity to whom a wireless, wireline, or VoIP service account or number has been assigned by a carrier, other than an account or number associated with prepaid wireless telecommunication service.

"System" means the communications equipment, related software applications, and databases required to produce a response by the appropriate emergency public safety agency or other provider of emergency services as a result of an emergency call being placed to 9-1-1.

"System provider" means the contracted entity providing 9-1-1 network and database services.

"Telecommunications carrier" means those entities included within the definition specified in Section 13-202 of the Public Utilities Act, and includes those carriers acting as resellers of telecommunications services. "Telecommunications carrier" includes telephone systems operating as mutual concerns. "Telecommunications carrier" does not include a wireless carrier.

"Telecommunications technology" means equipment that can send and receive written messages over the telephone network.

"Transfer" means a 9-1-1 service in which the public safety telecommunicator, who receives an emergency call, transmits, redirects, or conferences that call to the appropriate public safety agency or other provider of emergency services. "Transfer" includes calls transferred, within the statewide NG9-1-1 system and to surrounding states NG9-1-1 Systems using a SIP URI. "Transfer" shall not include (1) a relay or referral of the information without transferring the caller or (2) calls transferred to a 10-digit number where a SIP URI is available.

"Transmitting messages" shall have the meaning given to that term under Section 8-11-2 of the Illinois Municipal Code.

"Trunk line" means a transmission path, or group of transmission paths, connecting a subscriber's PBX to a telecommunications carrier's public switched network. In the case of regular service, each voice grade communications channel or equivalent amount of bandwidth capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered a trunk line, even if it is bundled with other channels or additional bandwidth. In the case of advanced service, each DS-1, T-1, or other un-channelized or multi-channel transmission facility that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered a single trunk line, even if it contains multiple voice grade communications channels or otherwise supports 2 or more voice grade calls at a time; provided, however, that each additional increment of up to 24 voice grade channels of transmission capacity that is capable of transporting either the subscriber's inter-premises voice telecommunications services to the public switched network or the subscriber's 9-1-1 calls to the public agency shall be considered an additional trunk line.

"Unmanned backup answering point" means an answering point that serves as an alternate to the PSAP at an alternate location and is typically unmanned but can be activated if the primary PSAP is disabled.

"Virtual answering point" or "VAP" means a temporary or nonpermanent location that is capable of receiving an emergency call, contains a fully functional worksite that is not bound to a specific location, but rather is portable and scalable, connecting public safety telecommunicators to the work process, and is capable of completing the call dispatching process.

"Voice grade ~~Voice grade~~ call" or "VGC" means a telecommunications service that allows for the transmission of voice signals with sufficient quality for effective communication.

"Voice-impaired individual" means a person with a permanent speech disability which precludes oral communication, who can regularly and routinely communicate by telephone only through the aid of devices which can send and receive written messages over the telephone network.

"Wireless" means the delivery of a wireless 9-1-1 call in accordance with applicable Federal Communications Commission regulations.

"Wireless carrier" means a provider of two-way cellular, broadband PCS, geographic area 800 MHz and 900 MHz Commercial Mobile Radio Service (CMRS), Wireless Communications Service (WCS), or other Commercial Mobile Radio Service (CMRS), as defined by the Federal Communications Commission, offering radio communications that may provide fixed, mobile, radio location, or satellite communication services to individuals or businesses within its assigned spectrum block and geographical area or that offers real-time, two-way voice service that is interconnected with the public switched network, including a reseller of such service.

(Source: P.A. 103-366, eff. 1-1-24; 104-204, eff. 8-15-25; revised 12-12-25.)

(50 ILCS 750/7.2 new)

Sec. 7.2. Required compliance with the Community Emergency Services and Support Act Protocols. Beginning July 1, 2027, all public safety answering points shall comply with the protocols established under the Community Emergency Services and Support Act.

(50 ILCS 750/7.3 new)

Sec. 7.3. Monitoring PSAP compliance with the Community Emergency Services and Support Act.

(a) The Office of the Statewide 9-1-1 Administrator shall ensure that PSAPs comply with the requirements of Section 7.2. To ensure that PSAPs comply with the requirements of Section 7.2, the Office of the Statewide 9-1-1 Administrator shall monitor every PSAP.

(b) The Office of the Statewide 9-1-1 Administrator shall consult with the Illinois Department of Human Services to support PSAP compliance with the Community Emergency Services and Support Act. In carrying out this responsibility, the Illinois Department of Human Services shall provide consultation, resources, collaboration, and guidance to the Statewide 9-1-1 Administrator, as appropriate, to support PSAP compliance with the Community Emergency Services and Support Act. The guidance shall include required data elements, reporting formats, and a mechanism for reporting provider service data to support monitoring, verification, and quality improvement. The Office of the Statewide 9-1-1 Administrator shall adopt rules to implement this Section and ensure compliance with Section 7.2.

Section 20. The Community Emergency Services and Support Act is amended by changing Sections 5, 15, 20, 25, 30, 35, 40, 45, 50, 65, and 70 and by adding Sections 75 and 80 as follows:

(50 ILCS 754/5)

Sec. 5. Findings. The General Assembly recognizes that the ~~Illinois~~ Department of Human Services ~~Division of Behavioral Health and Recovery~~ ~~Division of Mental Health~~ is preparing to provide mobile mental and behavioral health services to all Illinoisans as part of the federally mandated adoption of the 9-8-8 phone number. The General Assembly also recognizes that many cities and some states have successfully established mobile emergency mental and behavioral health services as part of their emergency response system to support people who need such support and do not present a threat of physical violence to the mobile mental health relief providers. In light of that experience, the General Assembly finds that in order to promote and protect the health, safety, and welfare of the public, it is necessary and in the public interest to provide emergency response, with or without medical transportation, to individuals requiring mental health or behavioral health services in a manner that is substantially equivalent to the response already provided to individuals who require emergency physical health care.

The General Assembly also recognizes the history of vulnerable populations being subject to unwarranted involuntary commitment or other human rights violations instead of receiving necessary care during acute crises which may contribute to an understandable apprehension of behavioral health services among individuals who have historically been subject to these practices. The General Assembly intends for the Mobile Mental Health Relief Providers regulated by this Act to assist with crises that do not rise to the level of involuntary commitment. However, the General Assembly also recognizes that Mobile Mental Health Relief Providers may, during the course of assisting with a crisis, encounter individuals who present an imminent threat of injury to themselves or others unless they receive assistance through the involuntary commitment process. This Act intends to balance concerns about misuse of the involuntary commitment process with the need for emergency care for individuals whose crisis presents an imminent threat of injury.

(Source: P.A. 103-105, eff. 6-27-23; 104-155, eff. 8-1-25.)

(50 ILCS 754/15)

Sec. 15. Definitions. As used in this Act:

"Chemical restraint" means any drug used for discipline or convenience and not required to treat medical symptoms.

"Community services" and "community-based mental or behavioral health services" include both public and private settings.

"Department" means the Department of Human Services.

~~"Division of Mental Health" means the Division of Mental Health of the Department of Human Services.~~

"Emergency" means an emergent circumstance caused by a health condition, regardless of whether it is perceived as physical, mental, or behavioral in nature, for which an individual may require prompt care, support, or assessment at the individual's location.

"Mental or behavioral health" means any health condition involving changes in thinking, emotion, or behavior, and that the medical community treats as distinct from physical health care.

~~"Mobile mental health relief provider" means a mobile crisis response team or a mental health professional who engages with individuals person engaging with a member of the public to provide the mobile mental and behavioral health services service established in conjunction with the Department Division of Mental Health establishing the 9 8 8 emergency number. "Mobile mental health relief provider" may include paramedics (EMT-Ps), emergency medical technicians (EMTs), or other medical personnel; individuals with lived experience; or community responders who are trained to provide mobile behavioral health crisis services and who have agreed to meet the requirements set forth by the Department does not include a Paramedic (EMT-P) or EMT, as those terms are defined in the Emergency Medical Services (EMS) Systems Act, unless that responding agency has agreed to provide a specialized response in accordance with the Division of Mental Health's services offered through its 9 8 8 number and has met all the requirements to offer that service through that system.~~

"Physical health" means a health condition that the medical community treats as distinct from mental or behavioral health care.

"Physical restraint" means any manual method or physical or mechanical device, material, or equipment attached or adjacent to an individual's body that the individual cannot easily remove and restricts freedom of movement or normal access to one's body. "Physical restraint" does not include a seat belt if it is used during transportation of an individual and the individual has access to the mechanism that releases the seat belt.

"Public safety answering point" or "PSAP" means the primary answering location of an emergency call that meets the appropriate standards of service and is responsible for receiving and processing those calls and events according to a specified operational policy.

"Treatment relationship" means an active association with a mental or behavioral care provider able to respond in an appropriate amount of time to requests for care.

(Source: P.A. 103-105, eff. 6-27-23; 104-155, eff. 8-1-25.)

(50 ILCS 754/20)

Sec. 20. Coordination with the Department ~~Division of Mental Health~~. Each 9-1-1 PSAP and provider of emergency services dispatched through a 9-1-1 system must coordinate with the mobile mental and behavioral health services established by the Department ~~Division of Mental Health~~ so that the following State goals and State prohibitions are met whenever a person interacts with one of these entities for the purpose of seeking emergency mental and behavioral health care or when one of these entities recognizes the appropriateness of providing mobile mental or behavioral health care to an individual with whom they have engaged. The Department ~~Division of Mental Health~~ is also directed to provide guidance regarding whether and how these entities should coordinate with mobile mental and behavioral health services when responding to individuals who appear to be in a mental or behavioral health emergency while engaged in conduct alleged to constitute a non-violent misdemeanor.

(Source: P.A. 102-580, eff. 1-1-22; 103-105, eff. 6-27-23.)

(50 ILCS 754/25)

Sec. 25. State goals.

(a) 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the Department ~~Division of Mental Health~~ must coordinate their services so that the State goals listed in this Section are achieved. This coordination may be, but is not required to be, accomplished through the use of Memoranda of Understanding (MOUs) or other similar

agreements with the intent of ensuring best practices of interoperability and facilitating interagency cooperation. Appropriate mobile response service for mental and behavioral health emergencies shall be available regardless of whether the initial contact was with 9-8-8, with 9-1-1, or directly with an emergency service dispatched through 9-1-1. Appropriate mobile response services must:

(1) whenever possible, ensure that individuals experiencing mental or behavioral health crises are diverted from hospitalization or incarceration and are instead linked with available appropriate community services;

(2) include the option of on-site care if that type of care is appropriate and does not override the care decisions of the individual receiving care. Providing care in the community, through methods like mobile crisis units, is encouraged. If effective care is provided on site, and if it is consistent with the care decisions of the individual receiving the care, further transportation to other medical providers is not required by this Act;

(3) recommend appropriate referrals for available community services if the individual receiving on-site care is not already in a treatment relationship with a service provider or is unsatisfied with their current service providers. The referrals shall take into consideration waiting lists and copayments, which may present barriers to access; and

(4) subject to the care decisions of the individual receiving care, coordinate transportation for any individual experiencing a mental or behavioral health emergency to the most integrated and least restrictive setting feasible. A mobile crisis response team may provide transportation if the mobile crisis response team is appropriately equipped and staffed to do so.

(b) Prioritize requests for emergency assistance. 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the Department Division of Mental Health must provide guidance for prioritizing calls for assistance and maximum response time in relation to the type of emergency reported.

(c) Provide appropriate response times. From the time of first notification, 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the Department Division of Mental Health must provide the response within a response time appropriate to the care requirements of the individual with an emergency.

(d) Require appropriate mobile mental health relief provider training. Mobile mental health relief providers must have adequate training to address the needs of individuals experiencing a mental or behavioral health emergency. Adequate training at least includes:

(1) training in de-escalation techniques;

(2) knowledge of local community services and supports;

(3) training in respectful interaction with people experiencing mental or behavioral health crises, including the concepts of stigma and respectful language;

(4) training in recognizing and working with people with neurodivergent and developmental disability diagnoses and in the techniques available to help stabilize and connect them to further services; and

(5) training in the involuntary commitment process, in identification of situations that meet the standards for involuntary commitment, and in cultural competencies and social biases to guard against any group being disproportionately subjected to the involuntary commitment process or the use of the process not warranted under the legal standard for involuntary commitment.

(e) Require minimum team staffing. The Department Division of Mental Health, in consultation with the Regional Advisory Committees created in Section 40, shall determine the appropriate credentials for the mental health providers responding to calls, including to what extent the mobile mental health relief providers must have certain credentials and licensing, and to what extent the mobile mental health relief providers can be peer support professionals.

(f) Require training from individuals with lived experience. Training shall be provided by individuals with lived experience to the extent available.

(g) Adopt guidelines directing referral to restrictive care settings. Mobile mental health relief providers must have guidelines to follow when considering whether to refer an individual to more restrictive forms of care, like emergency room or hospital settings.

(h) Specify regional best practices. Mobile mental health relief providers providing these services must do so consistently with best practices, which include respecting the care choices of the individuals receiving assistance. Regional best practices may be broken down into sub-regions, as appropriate to reflect local resources and conditions. With the agreement of the impacted EMS Regions, providers of emergency

response to physical emergencies may participate in another EMS Region for mental and behavioral response, if that participation shall provide a better service to individuals experiencing a mental or behavioral health emergency.

(i) Adopt a system for directing care in advance of an emergency. The ~~Department Division of Mental Health~~ shall select and publicly identify a system that allows individuals who voluntarily chose to do so to provide confidential advanced care directions to individuals providing services under this Act. No system for providing advanced care direction may be implemented unless the ~~Department Division of Mental Health~~ approves it as confidential, available to individuals at all economic levels, and non-stigmatizing. The ~~Department Division of Mental Health~~ may defer this requirement for providing a system for advanced care direction if it determines that no existing systems can currently meet these requirements.

(j) Train dispatching staff. The personnel staffing 9-1-1, 3-1-1, or other emergency response intake systems must be provided with adequate training to assess whether coordinating with 9-8-8 is appropriate.

(k) Establish protocol for emergency responder coordination. The ~~Department Division of Mental Health~~ shall establish a protocol for mobile mental health relief providers, law enforcement, and fire and ambulance services to request assistance from each other, and train these groups on the protocol.

(l) Integrate law enforcement. The ~~Department Division of Mental Health~~ shall provide for law enforcement to request mobile mental health relief provider assistance whenever law enforcement engages an individual appropriate for services under this Act. If law enforcement would typically request EMS assistance when it encounters an individual with a physical health emergency, law enforcement shall similarly dispatch mental or behavioral health personnel or medical transportation when it encounters an individual in a mental or behavioral health emergency.

(m) 9-1-1 PSAPs shall screen specific types of law enforcement calls and follow approved protocols and processes under this Act to identify callers experiencing behavioral health crises and refer them for a behavioral health response.

(n) 9-1-1 PSAPs shall open and follow the emergency medical dispatch protocols established under the Emergency Medical Services (EMS) Systems Act at the start of all emergency calls when appropriate to ensure the protocols are used and applied consistently and uniformly to ensure that information related to behavioral health emergency calls is available for data collection and can be used to determine which calls should be referred for a behavioral health response.

(o) PSAP telecommunicators, 9-8-8 crisis counselors, and mobile mental health relief providers shall complete training necessary to support the implementation of this Act, as approved by the Department or the Department's designee.

(p) 9-1-1 PSAPs, 9-8-8 providers, and mobile mental health relief providers shall provide required data using the format and data definitions specified by the Department in rule. The information may be used to evaluate implementation, evaluate quality assurance and improvement efforts, and monitor compliance with this Act.

(Source: P.A. 103-105, eff. 6-27-23; 104-155, eff. 8-1-25; revised 12-12-25.)

(50 ILCS 754/30)

Sec. 30. State prohibitions. 9-1-1 PSAPs, emergency services dispatched through 9-1-1 PSAPs, and the mobile mental and behavioral health service established by the ~~Department Division of Mental Health~~ must coordinate their services so that, based on the information provided to them, the following State prohibitions are avoided:

(a) Law enforcement responsibility for providing mental and behavioral health care. In any area where mobile mental health relief providers are available for dispatch, law enforcement shall not be dispatched to respond to an individual requiring mental or behavioral health care unless that individual is (i) involved in a suspected violation of the criminal laws of this State, or (ii) presents a threat of physical injury to self or others. Mobile mental health relief providers are not considered available for dispatch under this Section if 9-8-8 reports that it cannot dispatch appropriate service within the maximum response times established by each Regional Advisory Committee under Section 45.

(1) Standing on its own or in combination with each other, the fact that an individual is experiencing a mental or behavioral health emergency, or has a mental health, behavioral health, or other diagnosis, is not sufficient to justify an assessment that the individual is a threat of physical injury to self or others, or requires a law enforcement response to a request for emergency response or medical transportation.

(2) If, based on its assessment of the threat to public safety, law enforcement would not accompany medical transportation responding to a physical health emergency, unless requested by

mobile mental health relief providers, law enforcement may not accompany emergency response or medical transportation personnel responding to a mental or behavioral health emergency that presents an equivalent level of threat to self or public safety.

(3) Without regard to an assessment of threat to self or threat to public safety, law enforcement may station personnel so that they can rapidly respond to requests for assistance from mobile mental health relief providers if law enforcement does not interfere with the provision of emergency response or transportation services. To the extent practical, not interfering with services includes remaining sufficiently distant from or out of sight of the individual receiving care so that law enforcement presence is unlikely to escalate the emergency.

(b) Mobile mental health relief provider involvement in involuntary commitment. Mobile mental health relief providers may participate in the involuntary commitment process only to the extent permitted under the Mental Health and Developmental Disabilities Code. The ~~Department Division of Behavioral Health~~ shall, in consultation with each Regional Advisory Committee, as appropriate, monitor the use of involuntary commitment under this Act and provide systemic recommendations to improve outcomes for those subject to commitment.

(c) Use of law enforcement for transportation. In any area where mobile mental health relief providers are available for dispatch, unless requested by mobile mental health relief providers, law enforcement shall not be used to provide transportation to access mental or behavioral health care, or travel between mental or behavioral health care providers, except where (i) no alternative is available; (ii) the individual requests transportation from law enforcement and law enforcement mutually agrees to provide transportation; or (iii) the Mental Health and Developmental Disabilities Code requires or permits law enforcement to provide transportation.

(d) Reduction of educational institution obligations. The services coordinated under this Act may not be used to replace any service an educational institution is required to provide to a student. It shall not substitute for appropriate special education and related services that schools are required to provide by any law.

(e) This Section is operative beginning on the date the 3 conditions in Section 65 are met or July 1, 2025, whichever is earlier.

(Source: P.A. 103-105, eff. 6-27-23; 103-645, eff. 7-1-24; 104-155, eff. 8-1-25.)

(50 ILCS 754/35)

Sec. 35. Non-violent misdemeanors. The ~~Department's Division of Mental Health's~~ Guidance for 9-1-1 PSAPs and emergency services dispatched through 9-1-1 PSAPs for coordinating the response to individuals who appear to be in a mental or behavioral health emergency while engaging in conduct alleged to constitute a non-violent misdemeanor shall promote the following:

(a) Prioritization of Health Care. To the greatest extent practicable, community-based mental or behavioral health services should be provided before addressing law enforcement objectives.

(b) Diversion from Further Criminal Justice Involvement. To the greatest extent practicable, individuals should be referred to health care services with the potential to reduce the likelihood of further law enforcement engagement and referral to a pre-arrest or pre-booking case management unit should be prioritized in any areas served by pre-arrest or pre-booking case management.

(Source: P.A. 102-580, eff. 1-1-22; 103-105, eff. 6-27-23.)

(50 ILCS 754/40)

Sec. 40. Statewide Advisory Committee.

(a) The ~~Department Division of Mental Health~~ shall establish a Statewide Advisory Committee to review and make recommendations for aspects of coordinating 9-1-1 and the 9-8-8 mobile mental health response system most appropriately addressed on a State level.

(b) Issues to be addressed by the Statewide Advisory Committee include, but are not limited to, addressing changes necessary in 9-1-1 call taking protocols and scripts used in 9-1-1 PSAPs where those protocols and scripts are based on or otherwise dependent on national providers for their operation.

(c) The Statewide Advisory Committee shall recommend a system for gathering data related to the coordination of the 9-1-1 and 9-8-8 systems for purposes of allowing the parties to make ongoing improvements in that system. As practical, the system shall attempt to determine issues, which may include, but are not limited to:

(1) the volume of calls coordinated between 9-1-1 and 9-8-8;

(2) the volume of referrals from other first responders to 9-8-8;

(3) the volume and type of calls deemed appropriate for referral to 9-8-8 but could not be served by 9-8-8 because of capacity restrictions or other reasons;

(4) the appropriate information to improve coordination between 9-1-1 and 9-8-8;

(5) the appropriate information to improve the 9-8-8 system, if the information is most appropriately gathered at the 9-1-1 PSAPs; and

(6) the number of instances of mobile mental health relief providers initiating petitions for involuntary commitment, broken down by county and contracting entity employing the petitioning mobile mental health relief providers and the aggregate demographic data of the individuals subject to those petitions.

(d) The Statewide Advisory Committee shall consist of:

(1) the Statewide 9-1-1 Administrator, ex officio;

(2) one representative designated by the Illinois Chapter of National Emergency Number Association (NENA);

(3) one representative designated by the Illinois Chapter of Association of Public Safety Communications Officials (APCO);

(4) one representative of the Division of Behavioral Health and Recovery of the Department of Human Services ~~Mental Health~~;

(5) one representative of the Illinois Department of Public Health;

(6) one representative of a statewide organization of EMS responders;

(7) one representative of a statewide organization of fire chiefs;

(8) two representatives of statewide organizations of law enforcement;

(9) two representatives of mental health, behavioral health, or substance abuse providers; ~~and~~

(10) ~~six~~ ~~four~~ representatives of advocacy organizations either led by or consisting primarily of individuals with intellectual or developmental disabilities, individuals with behavioral disabilities, or individuals with lived experience; ~~and -~~

(11) one representative of the Division of Developmental Disabilities of the Department of Human Services.

(e) The members of the Statewide Advisory Committee, other than the Statewide 9-1-1 Administrator, shall be appointed by the Secretary of Human Services.

(f) The Statewide Advisory Committee shall continue to meet until this Act has been fully implemented, as determined by the Department ~~Division of Mental Health~~, and mobile mental health relief providers are available in all parts of Illinois. The Department ~~Division of Mental Health~~ may reconvene the Statewide Advisory Committee at its discretion after full implementation of this Act.

(Source: P.A. 103-105, eff. 6-27-23; 104-155, eff. 8-1-25.)

(50 ILCS 754/45)

Sec. 45. Regional Advisory Committees.

(a) The Department ~~Division of Mental Health~~ shall establish Regional Advisory Committees in each EMS Region to advise on regional issues related to emergency response systems for mental and behavioral health. The Secretary of Human Services shall appoint the members of the Regional Advisory Committees. Each Regional Advisory Committee shall consist of:

(1) representatives of the 9-1-1 PSAPs in the region;

(2) representatives of the EMS Medical Directors Committee, as constituted under the Emergency Medical Services (EMS) Systems Act, or other similar committee serving the medical needs of the jurisdiction;

(3) representatives of law enforcement officials with jurisdiction in the Emergency Medical Services (EMS) Regions;

(4) representatives of both the EMS providers and the unions representing EMS or emergency mental and behavioral health responders, or both; and

(5) advocates from the mental health, behavioral health, intellectual disability, and developmental disability communities.

If no person is willing or available to fill a member's seat for one of the required areas of representation on a Regional Advisory Committee under paragraphs (1) through (5), the Secretary of Human Services shall adopt procedures to ensure that a missing area of representation is filled once a person becomes willing and available to fill that seat.

(b) The majority of advocates on the Regional Advisory Committee must either be individuals with a lived experience of a condition commonly regarded as a mental health or behavioral health disability,

developmental disability, or intellectual disability or be from organizations primarily composed of such individuals. The members of the Committee shall also reflect the racial demographics of the jurisdiction served. To achieve the requirements of this subsection, the ~~Department of Human Services~~ Division of Mental Health must establish a clear plan and regular course of action to engage, recruit, and sustain areas of established participation. The plan and actions taken must be shared with the general public.

(c) Subject to the oversight of the ~~Department of Human Services~~ Division of Mental Health, the EMS Medical Directors Committee or a chair appointed in agreement of the ~~Department of Human Services~~ Division of Mental Health and the EMS Medical Directors Committee is responsible for convening the meetings of the committee. Qualifications for appointment as chair under this subsection include a demonstrated understanding of the tasks of the Regional Advisory Committee as well as standing within the region as a leader capable of building consensus for the purpose of achieving the tasks assigned to the committee. Impacted units of local government may also have representatives on the committee subject to approval by the ~~Department of Human Services~~ Division of Mental Health, if this participation is structured in such a way that it does not give undue weight to any of the groups represented.

(Source: P.A. 102-580, eff. 1-1-22; 103-105, eff. 6-27-23; 103-645, eff. 7-1-24.)

(50 ILCS 754/50)

Sec. 50. Regional Advisory Committee responsibilities.

(a) Each Regional Advisory Committee and subregional committee established by the Regional Advisory Committee are responsible for designing the local protocols to allow its region's or subregion's 9-1-1 call centers and emergency responders to coordinate their activities with 9-8-8 as required by this Act and monitoring current operation to advise on ongoing adjustments to the local protocols.

(b) A subregional committee, which may be convened by a majority vote of a Regional Advisory Committee, must include members that are representative of all required categories of the full Regional Advisory Committee and must provide guidance to the Regional Advisory Committees on adjustments that need to be made for local level operationalization of protocols. Any subregional committee formed shall be comprised of at least 25% of individuals with lived experience of a condition commonly regarded as a mental health or behavioral health disability, developmental disability, or intellectual disability; guardians of such individuals; or individuals from mental or behavioral health providers, groups, or networks. Each member of a subregional committee must be approved by a majority of Regional Advisory Committee members, but is not required to be a member of the Regional Advisory Committee. Meetings of subregional committees shall be accessible to all members of the Regional Advisory Committee and interested stakeholders. Subregional committees shall also provide a list of their members to their Regional Advisory Committee, share meeting dates and locations with Regional Advisory Committee members and the public, and make meeting minutes available to the Regional Advisory Committee following each meeting. No subregional committee shall be formed or meet without the approval of a majority of Regional Advisory Committee members. Subregional committees may not develop policies that are in conflict with this Act or policies of the Regional Advisory Committee.

(c) Included in this responsibility, each Regional Advisory Committee or subregional committee must:

(1) negotiate the appropriate amendment of each 9-1-1 PSAP emergency dispatch protocols, in consultation with each 9-1-1 PSAP in the EMS Region and consistent with national certification requirements;

(2) set maximum response times for 9-8-8 to provide service when an in-person response is required, based on type of mental or behavioral health emergency, which, if exceeded, constitute grounds for sending other emergency responders through the 9-1-1 system;

(3) report, geographically by police district if practical, the data collected through the direction provided by the Statewide Advisory Committee in aggregated, non-individualized monthly reports. These reports shall be available to the Regional Advisory Committee members, subregional committee members, the ~~Department of Human Services~~ Division of Mental Health, the Administrator of the 9-1-1 Authority, and to the public upon request;

(4) convene, after the initial regional policies are established, at least every 2 years to consider amendment of the regional policies, if any, and also convene whenever a member of the Committee requests that the Committee or subregional committee consider an amendment; ~~and~~

(5) identify regional resources and supports for use by the mobile mental health relief providers as they respond to the requests for services; -

(6) review regional and subregional crisis response system capacities and resources to inform planning and implementation and to foster collaboration across all sectors of the system; and

(7) determine community needs and make a plan to support local communities that wish to explore potential resources that may be used to create additional mobile mental health relief provider services to provide more immediate service coverage where needed. These additional mobile mental health relief provider services may be dispatched from 9-1-1, 9-8-8, or successor dispatch systems and shall be subject to the same standards and requirements as mobile mental health relief providers funded by the State.

Nothing in this Section shall be construed to require any locality or municipality to fund crisis services that are not currently available, or to prohibit any such locality or municipality from funding such services.

(d) Sections 40, 45, and 50 place the Statewide Advisory Committee in an advisory role to the Regional Advisory Committees that are responsible for developing protocols for their regions. Nothing outside of this Act shall be construed to erode or compromise the autonomy and authority of the Regional Advisory Committees or to grant any authority to the Statewide Advisory Committee that is assigned to the Regional Advisory Committees.

(Source: P.A. 102-580, eff. 1-1-22; 103-105, eff. 6-27-23; 103-645, eff. 7-1-24.)

(50 ILCS 754/65)

Sec. 65. PSAP and emergency service dispatched through a 9-1-1 PSAP; coordination of activities with mobile and behavioral health services.

(a) Each 9-1-1 PSAP and emergency service dispatched through a 9-1-1 PSAP must begin coordinating its activities with the mobile mental and behavioral health services established by the ~~Department Division of Mental Health~~ once all 3 of the following conditions are met, but not later than July 1, 2027:

(1) the Statewide Committee has negotiated useful protocol and 9-1-1 operator script adjustments with the contracted services providing these tools to 9-1-1 PSAPs operating in Illinois;

(2) the appropriate Regional Advisory Committee has completed design of the specific 9-1-1 PSAP's process for coordinating activities with the mobile mental and behavioral health service; and

(3) the mobile mental and behavioral health service is available in their jurisdiction.

(b) To achieve the conditions of subsection (a) by July 1, 2027, the following activities shall be completed:

(1) No later than June 30, 2025, pilot testing of the revised protocols;

(2) No later than June 30, 2026:

(A) assessment and evaluation of the pilots;

(B) revisions, as needed, of protocols and operations based on assessment and evaluation of the pilots;

(C) implementation of revised protocols at pilot sites; and

(D) implementation of revised protocols by PSAPs who are ready to implement, otherwise known as early adopters; and

(3) No later than June 30, 2027, implementation of revised protocols by all remaining PSAPs, including any PSAPs that previously cited financial barriers to updating systems.

(Source: P.A. 103-105, eff. 6-27-23; 103-645, eff. 7-1-24; 104-155, eff. 8-1-25.)

(50 ILCS 754/70)

Sec. 70. Report. On or before July 1, 2026 and twice every year ~~2023 and on a quarterly basis~~ thereafter, the ~~Department Division of Mental Health~~ shall submit a report to the General Assembly on its progress in implementing this Act until full implementation has been achieved statewide. The report, which shall include, but not be limited to, a strategic assessment that evaluates the success toward current strategy, identification of future targets for implementation that help estimate the potential for success and provides a basis for assessing future performance, and key benchmarks to provide a comparison to set in context and help stakeholders understand their positions.

(Source: P.A. 103-105, eff. 6-27-23.)

(50 ILCS 754/75 new)

Sec. 75. Oversight of PSAP compliance.

(a) The Office of the Statewide 9-1-1 Administrator shall monitor and require public safety answering points to comply with the requirements of this Act in accordance with Sections 7.2 and 7.3 of the Emergency Telephone System Act. The Department shall provide consultation and collaboration to the Statewide 9-1-1 Administrator to support PSAP compliance with this Act.

(b) The Office of the Statewide 9-1-1 Administrator shall consult with the Department to support PSAP compliance under this Act. In carrying out the responsibility under subsection (a), the Department shall provide consultation, resources, collaboration, and guidance to the Statewide 9-1-1 Administrator, as appropriate, to support PSAP compliance with the Community Emergency Services and Support Act. The guidance shall include required data elements, reporting formats, and a mechanism for reporting provider service data to support monitoring, verification, and quality improvement.

(50 ILCS 754/80 new)

Sec. 80. Rulemaking. The Department may adopt rules to implement and administer this Act. Any rulemaking related to this Act may not be inconsistent with this Act and shall include consultation and meaningful input from relevant stakeholders, including, but not limited to, the Statewide Advisory Committee and Regional Advisory Committees."

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

PRESENTATION OF RESOLUTION

Senator D. Turner offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 726

WHEREAS, The Memorial Wall for the fallen heroes of the Illinois Department of Corrections (IDOC) was first unveiled on May 10, 2001; and

WHEREAS, IDOC chose to place the Memorial Wall on the grounds of the IDOC Training Academy in Springfield, which is on leased land that the State of Illinois does not own; and

WHEREAS, IDOC is now in the process of vacating those grounds; and

WHEREAS, Consequently, the area surrounding the Memorial Wall is boarded up and strewn with broken glass, making it completely unsuitable for public visitation; and

WHEREAS, IDOC's departure from these grounds requires a reassessment of the location of the Memorial Wall; and

WHEREAS, Funds are available to contribute towards the movement of the current Memorial Wall or the establishment of a new Corrections Memorial through the contributions of corrections employees to the Illinois Correctional Employees Memorial Association; and

WHEREAS, The Illinois State Capitol grounds feature two permanent memorial structures to Illinois' firefighters and police officers who have lost their lives on the job; and

WHEREAS, Correctional officers have an average life expectancy of only 59 years, with rates of suicide 39% higher than the national working-age population and rates of depression significantly higher than the national average; and

WHEREAS, Across all states and over more than two centuries, Illinois has the third-highest number of correctional officers who have lost their lives in the line of duty; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois Department of Corrections and the Office of the Architect of the Capitol to establish a Corrections Fallen Heroes Memorial on the State Capitol grounds; and be it further

RESOLVED, That we recognize the inherent danger and risk that correctional employees confront daily while serving a critical public safety mission, and we affirm that the State's fallen heroes are deserving of a public memorial honoring the sacrifice they made.

READING BILL OF THE SENATE A SECOND TIME

On motion of Senator Villivalam, **Senate Bill No. 3086** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3086

AMENDMENT NO. 1. Amend Senate Bill 3086 by replacing line 19 on page 8 through line 3 on page 9 with the following:

"(9.5) Pooled investment trusts that are registered as an open-end investment company with the Securities and Exchange Commission and with voting trustees that are officers or employees of a national labor federation, or any member unions thereof, with assets exceeding \$1,000,000,000 if: (i) the purchases do not exceed 5% of the issuers' total assets; (ii) no more than 1% of the public agency's funds are invested in the pooled investment trust; and (iii) the issuer has not been placed on the list of restricted companies by the Illinois Investment Policy Board under Section 1-110.16 of the Illinois Pension Code."

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

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

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

At the hour of 1:02 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 2:42 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

PRESENTATION OF CELEBRATION OF LIFE RESOLUTION

SENATE RESOLUTION NO. 727

Offered by Senator Tracy and all Senators:
Mourns the death of Joe Irvin Conover of Quincy.

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

At the hour of 2:50 o'clock p.m., Senator Aquino, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its April 16, 2026 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Committee Amendment No. 2 to Senate Bill 66; Committee Amendment No. 3 to Senate Bill 66; Committee Amendment No. 1 to Senate Bill 3188; Committee Amendment No. 1 to Senate Bill 3461.**

Revenue: **Committee Amendment No. 1 to Senate Bill 3619.**

State Government: **Floor Amendment No. 1 to Senate Bill 3056.**

Senator Lightford, Chair of the Committee on Assignments, during its April 16, 2026 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Joint Resolution No. 60

The foregoing resolution was placed on the Senate Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its April 16, 2026 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 2 to Senate Bill 939
Floor Amendment No. 1 to Senate Bill 2773
Floor Amendment No. 1 to Senate Bill 2782
Floor Amendment No. 2 to Senate Bill 2836
Floor Amendment No. 1 to Senate Bill 3258

The foregoing floor amendments were placed on the Secretary's Desk.

MOTION

Senator Morrison moved that the following bills be removed from the Order of Senate Bills Third Reading - Agreed Bills List and returned to the Order of Senate Bills Third Reading: **Senate Bill Nos. 2878 and 3507.**

The motion prevailed.

SENATE BILL RECALLED

On motion of Senator Loughran Cappel, **Senate Bill No. 712** was recalled from the order of third reading to the order of second reading.

Senator Loughran Cappel offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 712

AMENDMENT NO. 1. Amend Senate Bill 712 by replacing everything after the enacting clause with the following:

"Section 5. The Behavior Analyst Licensing Act is amended by changing Sections 20 and 70 and by adding Section 150.1 as follows:

(225 ILCS 6/20)

(Section scheduled to be repealed on January 1, 2028)

Sec. 20. License required; exemptions.

[April 16, 2026]

(a) Beginning 10 months after the adoption of the rules required under subsection (b) of Section 80, an individual shall not engage in the practice of applied behavior analysis unless licensed under this Act or covered by an exemption under subsection (c).

(a-5) An individual licensed under this Act as an assistant behavior analyst shall not engage in the practice of applied behavior analysis unless supervised by a licensed clinical psychologist or licensed behavior analyst.

(b) Beginning 10 months after the adoption of the rules required under subsection (b) of Section 80, an individual shall not use the title "licensed behavior analyst", "L.B.A.", "licensed assistant behavior analyst", "L.A.B.A.", or similar words or letters indicating the individual is licensed as a behavior analyst or assistant behavior analyst unless the individual is actually licensed under this Act.

(c) This Act does not prohibit any of the following:

(1) Self-care by a patient or uncompensated care by a friend or family member who does not represent or hold oneself out to be a behavior analyst or assistant behavior analyst.

(2) An individual from implementing a behavior analytic treatment plan under the extended authority, direction, and supervision of a licensed behavior analyst or licensed assistant behavior analyst.

(3) A clinical psychologist, social worker, psychiatric nurse, speech-language pathologist, audiologist, professional counselor, clinical professional counselor, clinical social worker, occupational therapist, or marriage and family therapist from performing or advertising activities that are considered to be the practice of applied behavior analysis under this Act if the activities are consistent with the laws of this State, the individual's training, and any code of ethics of the individual's respective professions, so long as the individual does not use the titles provided in subsection (b).

(4) An individual from performing activities that are considered to be the practice of applied behavior analysis under this Act if the activities are with nonhumans, including applied animal behaviorists and animal trainers. The individual may use the title "behavior analyst" but shall not represent oneself as a licensed behavior analyst or licensed assistant behavior analyst unless the individual holds a license issued by the State.

(5) An individual who provides general applied behavior analysis services to organizations, so long as the services are for the benefit of the organizations and do not involve direct services to individuals. The individual may use the title "behavior analyst" but may not represent oneself as a licensed behavior analyst or licensed assistant behavior analyst unless the individual holds a license issued by the State.

(6) An individual who is a matriculated student at a nationally accredited university approved in rules or a postdoctoral fellow from performing activities that are considered to be the practice of applied behavior analysis under this Act if the activities are part of a defined program of study, course, practicum, internship, or postdoctoral fellowship, provided that the applied behavior analysis activities are directly supervised by a licensed behavior analyst under this Act or a licensed clinical psychologist.

(7) An individual who is not licensed under this Act from pursuing field experience in the practice of behavior analysis if the experience is supervised by a licensed behavior analyst or a licensed psychologist.

(8) An individual with a learning behavior specialist or school support personnel endorsement from the State Board of Education, the school district in which the school is located, or a special education joint agreement serving the school district in which the school is located from delivering behavior analytic services in a school setting when employed by that school as long as those services are defined in the scope of practice for that endorsement and that person is not in any manner held out to the public as a licensed behavior analyst or licensed assistant behavior analyst.

(9) A qualified intellectual disabilities professional, meeting the minimum federal education requirements outlined in 42 CFR 483.430, who is performing the duties required for individuals with intellectual or developmental disabilities in programs and facilities regulated by the federal Centers for Medicare and Medicaid Services, the Department of Human Services, or the Department of Public Health, so long as the individual does not use the titles provided in subsection (b).

(10) A service provider, designated by the Department of Human Services, from providing behavior intervention and treatment, so long as the individual does not use the titles provided in subsection (b).

(d) This Act does not apply to an individual who, on the effective date of this Act, is engaging in the practice of applied behavior analysis under the medical assistance program under the Illinois Public Aid Code while that individual is seeking the education, training, and experience necessary to obtain a license under this Act.

(e) No licensed behavior analyst or licensed assistant behavior analyst shall engage in the practice of speech-language pathology or the practice of audiology, as defined in the Illinois Speech-Language Pathology and Audiology Practice Act, unless licensed to do so under that Act.

(Source: P.A. 102-953, eff. 5-27-22; 103-857, eff. 8-9-24.)

(225 ILCS 6/70)

(Section scheduled to be repealed on January 1, 2028)

Sec. 70. Unlicensed practice; violation; civil penalty.

(a) Any person who practices, offers to practice, attempts to practice, or holds oneself out to practice as a licensed behavior analyst or licensed assistant behavior analyst without being licensed or exempt 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 \$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.

(a-5) Any member, partner, shareholder, director, officer, holder of any other ownership interest, or agent of a business organization that provides behavior analysis services who makes clinical decisions regarding patient care without being licensed or exempt under this Act shall be deemed to have violated this Section.

(b) The Department may investigate any actual, alleged, or suspected unlicensed activity.

(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 final judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 102-953, eff. 5-27-22.)

(225 ILCS 6/150.1 new)

Sec. 150.1. Ownership exemption for certain schools and nonprofit organizations. Notwithstanding any provision of this Act and any rules adopted under this Act, a public school, school district, charter school, or nonprofit organization that is exempt or qualified for exemption from federal income taxes under Section 501(c)(3) of the Internal Revenue Code may employ or contract with a licensed behavioral analyst regardless of whether each individual who owns, operates, or manages the public school, school district, charter school, or nonprofit organization holds a currently valid license issued under this Act. A public school, school district, charter school, or nonprofit organization that is exempt or qualified for exemption from federal income taxes under Section 501(c)(3) of the Internal Revenue Code may employ, contract with, or otherwise engage a licensed behavioral analyst to perform services within his or her scope of practice if the licensed behavioral analyst holds a currently valid license issued under this Act.

Section 10. The Professional Service Corporation Act is amended by changing Section 3.6 as follows: (805 ILCS 10/3.6) (from Ch. 32, par. 415-3.6)

Sec. 3.6. "Related professions" and "related professional services" mean more than one personal service which requires as a condition precedent to the rendering thereof the obtaining of a license and which prior to October 1, 1973 could not be performed by a corporation by reason of law; provided, however, that these terms shall be restricted to:

(1) a combination of 2 or more of the following personal services: (a) "architecture" as defined in Section 5 of the Illinois Architecture Practice Act of 1989, (b) "professional engineering" as defined in Section 4 of the Professional Engineering Practice Act of 1989, (c) "structural engineering" as defined in Section 5 of the Structural Engineering Practice Act of 1989, (d) "land surveying" as defined in Section 2 of the Illinois Professional Land Surveyor Act of 1989;

(2) a combination of the following personal services: (a) the practice of medicine by persons licensed under the Medical Practice Act of 1987, (b) the practice of podiatry as defined in the Podiatric Medical Practice Act of 1987, (c) the practice of dentistry as defined in the Illinois Dental Practice Act, (d) the practice of optometry as defined in the Illinois Optometric Practice Act of 1987;

(3) a combination of 2 or more of the following personal services: (a) the practice of clinical psychology by persons licensed under the Clinical Psychologist Licensing Act, (b) the practice of social work or clinical social work by persons licensed under the Clinical Social Work and Social

Work Practice Act, (c) the practice of marriage and family therapy by persons licensed under the Marriage and Family Therapy Licensing Act, (d) the practice of professional counseling or clinical professional counseling by persons licensed under the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, or (e) the practice of sex offender evaluations by persons licensed under the Sex Offender Evaluation and Treatment Provider Act; or

(4) a combination of 2 or more of the following personal services: (a) the practice of acupuncture by persons licensed under the Acupuncture Practice Act, (b) the practice of massage by persons licensed under the Massage Therapy Practice Act, (c) the practice of naprapathy by persons licensed under the Naprapathic Practice Act, (d) the practice of occupational therapy by persons licensed under the Illinois Occupational Therapy Practice Act, (e) the practice of physical therapy by persons licensed under the Illinois Physical Therapy Act, ~~or~~ (f) the practice of speech-language therapy by persons licensed under the Illinois Speech-Language Pathology and Audiology Practice Act, or (g) the practice of applied behavior analysis by persons licensed under the Behavior Analyst Licensing Act.

(Source: P.A. 101-95, eff. 7-19-19; 102-20, eff. 1-1-22.)

Section 15. The Professional Limited Liability Company Act is amended by changing Section 13 as follows:

(805 ILCS 185/13)

Sec. 13. Nature of business.

(a) A professional limited liability company may be formed to provide a professional service or services licensed by the Department except:

(1) the practice of dentistry unless all the members and managers are licensed as dentists under the Illinois Dental Practice Act;

(2) the practice of medicine unless all the managers, if any, are licensed to practice medicine under the Medical Practice Act of 1987 and each member is either:

(A) licensed to practice medicine under the Medical Practice Act of 1987;

(B) a registered medical corporation or corporations organized pursuant to the Medical Corporation Act;

(C) a professional corporation organized pursuant to the Professional Service Corporation Act of physicians licensed to practice under the Medical Practice Act of 1987;

(D) a hospital or hospital affiliate as defined in Section 10.8 of the Hospital Licensing Act; or

(E) a professional limited liability company that satisfies the requirements of subparagraph (A), (B), (C), or (D);

(3) the practice of real estate unless all the members and managers, if any, that actively participate in the real estate activities of the professional limited liability company are licensed to practice as a managing broker or broker pursuant to the Real Estate License Act of 2000. All nonparticipating members or managers shall submit affidavits of nonparticipation as required by the Department and the Real Estate License Act of 2000;

(4) the practice of clinical psychology unless all the managers and members are licensed to practice as a clinical psychologist under the Clinical Psychologist Licensing Act;

(5) the practice of social work unless all the managers and members are licensed to practice as a clinical social worker or social worker under the Clinical Social Work and Social Work Practice Act;

(6) the practice of marriage and family therapy unless all the managers and members are licensed to practice as a marriage and family therapist under the Marriage and Family Therapy Licensing Act;

(7) the practice of professional counseling unless all the managers and members are licensed to practice as a clinical professional counselor or a professional counselor under the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act;

(8) the practice of sex offender evaluation and treatment unless all the managers and members are licensed to practice as a sex offender evaluator or sex offender treatment provider under the Sex Offender Evaluation and Treatment Provider Act; or

(9) the practice of veterinary medicine unless all the managers and members are licensed to practice as a veterinarian under the Veterinary Medicine and Surgery Practice Act of 2004.

(b) Notwithstanding any provision of this Section, any of the following professional services may be combined and offered within a single professional limited liability company provided that each professional service is offered only by persons licensed to provide that professional service and all managers and members are licensed in at least one of the professional services offered by the professional limited liability company:

(1) the practice of medicine by physicians licensed under the Medical Practice Act of 1987, the practice of podiatry by podiatric physicians licensed under the Podiatric Medical Practice Act of 1987, the practice of dentistry by dentists licensed under the Illinois Dental Practice Act, and the practice of optometry by optometrists licensed under the Illinois Optometric Practice Act of 1987;

(2) the practice of clinical psychology by clinical psychologists licensed under the Clinical Psychologist Licensing Act, the practice of social work by clinical social workers or social workers licensed under the Clinical Social Work and Social Work Practice Act, the practice of marriage and family counseling by marriage and family therapists licensed under the Marriage and Family Therapy Licensing Act, the practice of professional counseling by professional counselors and clinical professional counselors licensed under the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, and the practice of sex offender evaluation and treatment by sex offender evaluators and sex offender treatment providers licensed under the Sex Offender Evaluation and Treatment Provider Act;

(3) the practice of architecture by persons licensed under the Illinois Architecture Practice Act of 1989, the practice of professional engineering by persons licensed under the Professional Engineering Practice Act of 1989, the practice of structural engineering by persons licensed under the Structural Engineering Practice Act of 1989, and the practice of land surveying by persons licensed under the Illinois Professional Land Surveyor Act of 1989; or

(4) the practice of acupuncture by persons licensed under the Acupuncture Practice Act, the practice of massage by persons licensed under the Massage Licensing Act, the practice of naprapathy by persons licensed under the Naprapathic Practice Act, the practice of occupational therapy by persons licensed under the Illinois Occupational Therapy Practice Act, the practice of physical therapy by persons licensed under the Illinois Physical Therapy Act, the practice of applied behavior analysis by persons licensed under the Behavior Analyst Licensing Act, and the practice of speech-language pathology by persons licensed under the Illinois Speech-Language Pathology and Audiology Practice Act.

(Source: P.A. 102-970, eff. 5-27-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Loughran Cappel, **Senate Bill No. 712** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.

[April 16, 2026]

Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	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.

SENATE BILL RECALLED

On motion of Senator Loughran Cappel, **Senate Bill No. 2773** was recalled from the order of third reading to the order of second reading.

Senator Loughran Cappel offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2773

AMENDMENT NO. 1. Amend Senate Bill 2773 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 21B-20 as follows:
(105 ILCS 5/21B-20)

Sec. 21B-20. Types of licenses. The State Board of Education shall implement a system of educator licensure, whereby individuals employed in school districts who are required to be licensed must have one of the following licenses: (i) a professional educator license; (ii) an educator license with stipulations; (iii) a substitute teaching license; or (iv) until June 30, 2028, a short-term substitute teaching license. References in law regarding individuals certified or certificated or required to be certified or certificated under Article 21 of this Code shall also include individuals licensed or required to be licensed under this Article. The first year of all licenses ends on June 30 following one full year of the license being issued.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to govern the requirements for licenses and endorsements under this Section.

(1) Professional Educator License. Persons who (i) have successfully completed an approved educator preparation program and are recommended for licensure by the Illinois institution offering the educator preparation program, (ii) have successfully completed the required testing under Section 21B-30 of this Code, (iii) have successfully completed coursework on the psychology of, the identification of, and the methods of instruction for the exceptional child, including, without limitation, children with learning disabilities, (iv) have successfully completed coursework in methods of reading and reading in the content area, and (v) have met all other criteria established by rule of the State Board of Education shall be issued a Professional Educator License. Persons seeking a Professional Educator License with a school support personnel endorsement or chief school business official endorsement are exempt from the requirements in items (iii) and (iv). All Professional Educator Licenses are valid until June 30 immediately following 5 years of the license being issued. The Professional Educator License shall be endorsed with specific areas and grade levels in which the individual is eligible to practice. For an early childhood education endorsement, an individual may satisfy the student teaching requirement of his or her early childhood teacher preparation program through placement in a setting with children from birth through grade 2, and the individual may be paid and receive credit while student teaching. The student teaching experience must meet the requirements of and be approved by the individual's early childhood teacher preparation program. No

institution of higher education shall establish or maintain any policy which requires student teaching for preservice teachers to be unpaid.

Individuals can receive subsequent endorsements on the Professional Educator License. Subsequent endorsements shall require a minimum of 24 semester hours of coursework in the endorsement area and passage of the applicable content area test, unless otherwise specified by rule.

(2) Educator License with Stipulations. An Educator License with Stipulations shall be issued an endorsement that limits the license holder to one particular position or does not require completion of an approved educator program or both.

An individual with an Educator License with Stipulations must not be employed by a school district or any other entity to replace any presently employed teacher who otherwise would not be replaced for any reason.

An Educator License with Stipulations may be issued with the following endorsements:

(A) (Blank).

(B) Alternative provisional educator. An alternative provisional educator endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a bachelor's degree.

(ii) Successfully completed the first phase of the Alternative Educator Licensure Program for Teachers, as described in Section 21B-50 of this Code.

(iii) Passed a content area test, as required under Section 21B-30 of this Code.

The alternative provisional educator endorsement is valid for 2 years of teaching and may be renewed for a third year by an individual meeting the requirements set forth in Section 21B-50 of this Code.

(C) Alternative provisional superintendent. An alternative provisional superintendent endorsement on an Educator License with Stipulations entitles the holder to serve only as a superintendent or assistant superintendent in a school district's central office. This endorsement may only be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a master's degree in a management field other than education.

(ii) Been employed for a period of at least 5 years in a management level position in a field other than education.

(iii) Successfully completed the first phase of an alternative route to superintendent endorsement program, as provided in Section 21B-55 of this Code.

(iv) Passed a content area test required under Section 21B-30 of this Code.

The endorsement is valid for 2 fiscal years in order to complete one full year of serving as a superintendent or assistant superintendent.

(D) (Blank).

(E) Career and technical educator. A career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 60 semester hours of coursework from a regionally accredited institution of higher education or an accredited trade and technical institution and has a minimum of 2,000 hours of experience outside of education in each area to be taught.

The career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed.

An individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations but does not hold a bachelor's degree may substitute teach in career and technical education classrooms.

An individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations is entitled to all of the rights and privileges granted to a holder of a Professional Educator License.

(F) (Blank).

(G) Transitional bilingual educator. A transitional bilingual educator endorsement on an Educator License with Stipulations may be issued for the purpose of providing instruction in

accordance with Article 14C of this Code to an applicant who provides satisfactory evidence that he or she meets all of the following requirements:

(i) Possesses adequate speaking, reading, and writing ability in the language other than English in which transitional bilingual education is offered.

(ii) Has the ability to successfully communicate in English.

(iii) Either possessed, within 5 years previous to his or her applying for a transitional bilingual educator endorsement, a valid and comparable teaching certificate or comparable authorization issued by a foreign country or holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

A transitional bilingual educator endorsement shall be valid for prekindergarten through grade 12, is valid until June 30 immediately following 5 years of the endorsement being issued, and shall not be renewed.

Persons holding a transitional bilingual educator endorsement shall not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

(H) Language endorsement. In an effort to alleviate the shortage of teachers speaking a language other than English in the public schools, an individual who holds an Educator License with Stipulations may also apply for a language endorsement, provided that the applicant provides satisfactory evidence that he or she meets all of the following requirements:

(i) Holds a transitional bilingual endorsement.

(ii) Has demonstrated proficiency in the language for which the endorsement is to be issued by passing the applicable language content test required by the State Board of Education.

(iii) Holds a bachelor's degree or higher from a regionally accredited institution of higher education or, for individuals educated in a country other than the United States, holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

(iv) (Blank).

A language endorsement on an Educator License with Stipulations is valid for prekindergarten through grade 12 for the same validity period as the individual's transitional bilingual educator endorsement on the Educator License with Stipulations and shall not be renewed.

(I) Visiting international educator. A visiting international educator endorsement on an Educator License with Stipulations may be issued to an individual who is being recruited by a particular school district that conducts formal recruitment programs outside of the United States to secure the services of qualified teachers and who meets all of the following requirements:

(i) Holds the equivalent of a minimum of a bachelor's degree issued in the United States.

(ii) Has been prepared as a teacher at the grade level for which he or she will be employed.

(iii) Has adequate content knowledge in the subject to be taught.

(iv) Has an adequate command of the English language.

A holder of a visiting international educator endorsement on an Educator License with Stipulations shall be permitted to teach in bilingual education programs in the language that was the medium of instruction in his or her teacher preparation program, provided that he or she passes the English Language Proficiency Examination or another test of writing skills in English identified by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

A visiting international educator endorsement on an Educator License with Stipulations is valid for 5 years and shall not be renewed.

(J) Paraprofessional educator. A paraprofessional educator endorsement on an Educator License with Stipulations may be issued to an applicant who is at least 18 years of age and will be using the Educator License with Stipulations exclusively for grades prekindergarten through 8 until the individual reaches the age of 19 years or an applicant 19 years of age or older who

otherwise meets the criteria for a paraprofessional educator endorsement pursuant to this subparagraph (J). An applicant for a paraprofessional educator endorsement must also meet at least one of the following requirements:

(i) hold ~~holds~~ a high school diploma or its recognized equivalent and pass a paraprofessional competency test under subsection (c-5) of Section 21B-30;

(ii) hold ~~(i) holds~~ an associate ~~associate's~~ degree or a minimum of 60 semester hours of credit from a regionally accredited institution of higher education; ~~(ii) has passed a paraprofessional competency test under subsection (c-5) of Section 21B-30;~~ or

(iii) if applicable, have been issued a short-term approval for paraprofessionals, as established by rule by the State Board of Education, and have been employed as a paraprofessional educator for each year the short-term approval is valid, have paid the required license renewal fee under Section 21B-40, and have been determined by the school district to have met the following competencies:

(I) reinforces teacher-led instruction, including knowledge of and the ability to assist in reading, writing, and mathematics instruction;

(II) understands and follows individualized education programs and federal Section 504 plans;

(III) supports differentiated instruction;

(IV) understands basic literacy and numeracy support strategies;

(V) implements behavior plans and exhibits skills in the redirection of student behaviors;

(VI) follows health plans and school and classroom safety procedures; and

(VII) takes direction from licensed staff, including administrators and teachers, and understands the individual's role within the instructional team. ~~is at least 18 years of age and will be using the Educator License with Stipulations exclusively for grades prekindergarten through grade 8, until the individual reaches the age of 19 years and otherwise meets the criteria for a paraprofessional educator endorsement pursuant to this subparagraph (J).~~

~~is at least 18 years of age and will be using the Educator License with Stipulations exclusively for grades prekindergarten through grade 8, until the individual reaches the age of 19 years and otherwise meets the criteria for a paraprofessional educator endorsement pursuant to this subparagraph (J).~~

The paraprofessional educator endorsement is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed through application and payment of the appropriate fee, as required under Section 21B-40 of this Code. ~~An individual who holds only a paraprofessional educator endorsement is not subject to additional requirements in order to renew the endorsement.~~

(K) Chief school business official. A chief school business official endorsement on an Educator License with Stipulations may be issued to an applicant who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests, including an applicable content area test.

The chief school business official endorsement may also be affixed to the Educator License with Stipulations of any holder who qualifies by having a master's degree in business administration, finance, accounting, or public administration and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests, including an applicable content area test. This endorsement shall be required for any individual employed as a chief school business official.

The chief school business official endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed if the license holder completes renewal requirements as required for individuals who hold a Professional Educator License endorsed for chief school business official under Section 21B-45 of this Code and such rules as may be adopted by the State Board of Education.

The State Board of Education shall adopt any rules necessary to implement Public Act 100-288.

(L) Provisional in-state educator. A provisional in-state educator endorsement on an Educator License with Stipulations may be issued to a candidate who has completed an

Illinois-approved educator preparation program at an Illinois institution of higher education and who has not successfully completed an evidence-based assessment of teacher effectiveness but who meets all of the following requirements:

(i) Holds at least a bachelor's degree.

(ii) Has completed an approved educator preparation program at an Illinois institution.

(iii) Has passed an applicable content area test, as required by Section 21B-30 of this Code.

(iv) Has attempted an evidence-based assessment of teacher effectiveness and received a minimum score on that assessment, as established by the State Board of Education in consultation with the State Educator Preparation and Licensure Board.

A provisional in-state educator endorsement on an Educator License with Stipulations is valid for one full fiscal year after the date of issuance and may not be renewed.

(M) (Blank).

(N) Specialized services. A specialized services endorsement on an Educator License with Stipulations may be issued as defined and specified by rule.

(O) Provisional career and technical educator. A provisional career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 8,000 hours of work experience in the skill for which the applicant is seeking the endorsement. Each employing school board and regional office of education shall provide verification, in writing, to the State Superintendent of Education at the time the application is submitted that no qualified teacher holding a Professional Educator License or an Educator License with Stipulations with a career and technical educator endorsement is available to teach and that actual circumstances require such issuance.

A provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed.

An individual who holds a provisional career and technical educator endorsement on an Educator License with Stipulations may teach as a substitute teacher in career and technical education classrooms.

An individual who holds a provisional career and technical educator endorsement on an Educator License with Stipulations is entitled to all of the rights and privileges granted to a holder of a Professional Educator License.

(3) Substitute Teaching License. A Substitute Teaching License may be issued to qualified applicants for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Substitute Teaching License must hold a bachelor's degree or higher from a regionally accredited institution of higher education or must be enrolled in an approved educator preparation program in this State and have earned at least 90 credit hours.

Substitute Teaching Licenses are valid for 5 years.

Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked, then that individual is not eligible to obtain a Substitute Teaching License.

A substitute teacher may only teach in the place of a licensed teacher who is under contract with the employing board. If, however, there is no licensed teacher under contract because of an emergency situation, then a district may employ a substitute teacher for no longer than 30 calendar days per each vacant position in the district if the district notifies the appropriate regional office of education within 5 business days after the employment of the substitute teacher in that vacant position. A district may continue to employ that same substitute teacher in that same vacant position for 90 calendar days or until the end of the semester, whichever is greater, if, prior to the expiration of the 30-calendar-day period then current, the district files a written request with the appropriate regional office of education for a 30-calendar-day extension on the basis that the position remains vacant and the district continues to actively seek qualified candidates and provides documentation that it has provided training specific to the position, including training on meeting the needs of students with disabilities and English learners if applicable. Each extension request shall be granted in writing by the regional office of education. An emergency situation is one in which an unforeseen vacancy has occurred and (i) a

teacher is unexpectedly unable to fulfill his or her contractual duties or (ii) teacher capacity needs of the district exceed previous indications or vacancies are unfilled due to a lack of qualified candidates, and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position.

There is no limit on the number of days that a substitute teacher may teach in a single school district, provided that no substitute teacher may teach for longer than 120 days beginning with the 2021-2022 school year through the 2022-2023 school year, otherwise 90 school days for any one licensed teacher under contract in the same school year. A substitute teacher who holds a Professional Educator License or Educator License with Stipulations shall not teach for more than 120 school days for any one licensed teacher under contract in the same school year. The limitations in this paragraph (3) on the number of days a substitute teacher may be employed do not apply to any school district operating under Article 34 of this Code.

A school district may not require an individual who holds a valid Professional Educator License or Educator License with Stipulations to seek or hold a Substitute Teaching License to teach as a substitute teacher.

(4) Short-Term Substitute Teaching License. Beginning on July 1, 2018 and until June 30, 2028, applicants may apply to the State Board of Education for issuance of a Short-Term Substitute Teaching License. A Short-Term Substitute Teaching License may be issued to a qualified applicant for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Short-Term Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Short-Term Substitute Teaching License must hold an associate's degree or have completed at least 60 credit hours from a regionally accredited institution of higher education.

Short-Term Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked, then that individual is not eligible to obtain a Short-Term Substitute Teaching License.

The provisions of Sections 10-21.9 and 34-18.5 of this Code apply to short-term substitute teachers.

An individual holding a Short-Term Substitute Teaching License may teach no more than 15 consecutive days per licensed teacher who is under contract. For teacher absences lasting 6 or more days per licensed teacher who is under contract, a school district may not hire an individual holding a Short-Term Substitute Teaching License, unless the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act. An individual holding a Short-Term Substitute Teaching License must complete the training program under Section 10-20.67 or 34-18.60 of this Code to be eligible to teach at a public school. Short-Term Substitute Teaching Licenses under this Section are valid for 5 years.

(Source: P.A. 103-111, eff. 6-29-23; 103-154, eff. 6-30-23; 103-193, eff. 1-1-24; 103-564, eff. 11-17-23; 103-617, eff. 7-1-24; 104-128, eff. 1-1-26; 104-316, eff. 8-15-25; revised 11-20-25)."

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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Loughran Cappel, **Senate Bill No. 2773** 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 56; NAYS None.

The following voted in the affirmative:

Anderson

Faraci

Joyce

Syverson

[April 16, 2026]

Aquino	Feigenholtz	Koehler	Tracy
Arellano, L.	Fine	Lewis	Turner, D.
Balkema	Fowler	Lightford	Turner, S.
Belt	Glowiak Hilton	Loughran Cappel	Ventura
Bryant	Guzmán	Martwick	Villa
Castro	Halpin	McClure	Villanueva
Cervantes	Harris, N.	Morrison	Villivalam
Chesney	Harriss, E.	Murphy	Walker
Collins	Hastings	Plummer	Wilcox
Cunningham	Hills	Preston	Mr. President
Curran	Holmes	Rezin	
DeWitte	Hunter	Simmons	
Edly-Allen	Johnson	Sims	
Ellman	Jones, E.	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

SENATE BILL RECALLED

On motion of Senator Anderson, **Senate Bill No. 2782** was recalled from the order of third reading to the order of second reading.

Senator Anderson offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2782

AMENDMENT NO. 1. Amend Senate Bill 2782 on page 1, by replacing lines 9 through 23 with the following:

"(a) As used in this Section, "sudden unexpected death in epilepsy" means sudden, unexpected death in a patient with epilepsy, with or without evidence of a seizure.

(b) The Department shall undertake a public education campaign to bring broad public awareness to communities across this State of the risk of sudden unexpected death in epilepsy that is focused on providing the public with:"; and

on page 2, by replacing lines 9 through 12 with the following:

"(c) The Department shall post the information listed in subsection (a) on the"; and

by deleting line 15 on page 3 through line 10 on page 6.

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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Anderson, **Senate Bill No. 2782** 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 57; NAYS None.

The following voted in the affirmative:

[April 16, 2026]

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	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.

SENATE BILL RECALLED

On motion of Senator Cunningham, **Senate Bill No. 3445** was recalled from the order of third reading to the order of second reading.

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3445

AMENDMENT NO. 1. Amend Senate Bill 3445 on page 4, by replacing lines 10 through 13 with the following:

"physician assistant, or registered nurse. A certified dialysis technician shall not be permitted to administer heparin and saline to a patient with a central venous catheter.

Additionally, the following conditions must be present:

(1) the RN or APRN must complete an assessment of the patient's nursing care needs prior to the delegation and make modifications to the patient's nursing care needs during the course of dialysis treatment to address any patient problems and complications;"

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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 3445** 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; NAY 1.

The following voted in the affirmative:

Anderson	Feigenholtz	Joyce	Sims
Aquino	Fine	Koehler	Stadelman
Arellano, L.	Fowler	Lewis	Syverson

[April 16, 2026]

Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Villa
Chesney	Harriss, E.	Morrison	Villanueva
Cunningham	Hastings	Murphy	Villivalam
Curran	Hills	Plummer	Walker
DeWitte	Holmes	Preston	Wilcox
Edly-Allen	Hunter	Rezin	Mr. President
Ellman	Johnson	Rose	
Faraci	Jones, E.	Simmons	

The following voted in the negative:

Balkema

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 Balkema asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3445**.

SENATE BILL RECALLED

On motion of Senator Cunningham, **Senate Bill No. 3449** was recalled from the order of third reading to the order of second reading.

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

Senator Cunningham offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3449

AMENDMENT NO. 3. Amend Senate Bill 3449 on page 37, by replacing lines 10 through 12 with the following:

""Verification process" means a method of authenticating the mobile identification card ~~electronic credential~~ through the use of secured encryption communication."; and

on page 38, by replacing line 9 with "other related actions and may not be maintained or stored for longer than what is strictly necessary for the purpose for which the information was provided. Information obtained from an"; and

on page 47, by replacing lines 13 and 14 with the following:

""Verification process" means a method of authenticating the mobile driver's license through the use of secured encryption communication."; and

on page 50, immediately below line 6, by inserting the following:

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 3449** 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 46; NAYS 11.

The following voted in the affirmative:

Aquino	Fine	Joyce	Stadelman
Belt	Glowiak Hilton	Koehler	Syverson
Castro	Guzmán	Lewis	Tracy
Cervantes	Halpin	Lightford	Turner, D.
Collins	Harris, N.	Loughran Cappel	Ventura
Cunningham	Harriss, E.	Martwick	Villa
Curran	Hastings	McClure	Villanueva
DeWitte	Hills	Morrison	Villivalam
Edly-Allen	Holmes	Murphy	Walker
Ellman	Hunter	Preston	Mr. President
Faraci	Johnson	Simmons	
Feigenholtz	Jones, E.	Sims	

The following voted in the negative:

Anderson	Bryant	Plummer	Turner, S.
Arellano, L.	Chesney	Rezin	Wilcox
Balkema	Fowler	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.

On motion of Senator Arellano Jr., **Senate Bill No. 1573** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	

Ellman

Jones, E.

Sims

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator D. Turner, **Senate Bill No. 2704** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Castro, **Senate Bill No. 2709** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President

DeWitte	Hunter	Rose
Edly-Allen	Johnson	Simmons
Ellman	Jones, E.	Sims

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Porfirio, **Senate Bill No. 2715** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Johnson, **Senate Bill No. 2735** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 53; NAYS 4.

The following voted in the affirmative:

Aquino	Fine	Koehler	Syverson
Arellano, L.	Fowler	Lewis	Tracy
Balkema	Glowiak Hilton	Lightford	Turner, D.
Belt	Guzmán	Loughran Cappel	Turner, S.
Castro	Halpin	Martwick	Ventura
Cervantes	Harris, N.	McClure	Villa
Collins	Harriss, E.	Morrison	Villanueva
Cunningham	Hastings	Murphy	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox

Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	
Faraci	Jones, E.	Sims	
Feigenholtz	Joyce	Stadelman	

The following voted in the negative:

Anderson	Chesney
Bryant	Plummer

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 2749** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harris, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator D. Turner, **Senate Bill No. 2761** 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 49; NAYS 5; Present 1.

The following voted in the affirmative:

Aquino	Feigenholtz	Jones, E.	Stadelman
Balkema	Fine	Joyce	Tracy
Belt	Fowler	Koehler	Turner, D.
Castro	Glowiak Hilton	Lewis	Ventura

Cervantes	Guzmán	Lightford	Villa
Chesney	Halpin	Loughran Cappel	Villanueva
Collins	Harris, N.	Martwick	Villivalam
Cunningham	Harriss, E.	Morrison	Walker
Curran	Hastings	Murphy	Wilcox
DeWitte	Hills	Preston	Mr. President
Edly-Allen	Holmes	Rezin	
Ellman	Hunter	Simmons	
Faraci	Johnson	Sims	

The following voted in the negative:

Anderson	Plummer	Turner, S.
Bryant	Rose	

The following voted present:

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. 2769** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 53; NAYS 3.

The following voted in the affirmative:

Aquino	Faraci	Jones, E.	Syverson
Arellano, L.	Feigenholtz	Joyce	Tracy
Balkema	Fine	Koehler	Turner, D.
Belt	Fowler	Lewis	Turner, S.
Bryant	Glowiak Hilton	Lightford	Ventura
Castro	Guzmán	Loughran Cappel	Villa
Cervantes	Halpin	Martwick	Villanueva
Chesney	Harris, N.	Morrison	Villivalam
Collins	Harriss, E.	Murphy	Walker
Cunningham	Hastings	Preston	Wilcox
Curran	Hills	Rezin	Mr. President
DeWitte	Holmes	Simmons	
Edly-Allen	Hunter	Sims	
Ellman	Johnson	Stadelman	

The following voted in the negative:

Anderson
Plummer
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).

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

On motion of Senator Joyce, **Senate Bill No. 2770** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Belt, **Senate Bill No. 2771** 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 2.

The following voted in the affirmative:

Aquino	Feigenholtz	Joyce	Sims
Arellano, L.	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Syverson
Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Collins	Harriss, E.	Morrison	Villa
Cunningham	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	Simmons	

The following voted in the negative:

Anderson
Chesney

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 D. Turner, **Senate Bill No. 2784** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Lewis, **Senate Bill No. 2806** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva

Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Holmes, **Senate Bill No. 2818** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Stadelman, **Senate Bill No. 2824** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura

Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 2838** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Faraci, **Senate Bill No. 2857** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.

Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Faraci, **Senate Bill No. 2859** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Feigenholtz, **Senate Bill No. 2861** 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 2.

The following voted in the affirmative:

Aquino	Feigenholtz	Joyce	Sims
Arellano, L.	Fine	Koehler	Stadelman

Balkema	Fowler	Lewis	Syverson
Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Collins	Harriss, E.	Morrison	Villa
Cunningham	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	Simmons	

The following voted in the negative:

Anderson
Chesney

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. 3731** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 2872** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Cervantes, **Senate Bill No. 2879** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	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.

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On motion of Senator Cunningham, **Senate Bill No. 2886** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Halpin, **Senate Bill No. 2892** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 2910** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Koehler, **Senate Bill No. 2945** 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 56; NAYS None; Present 1.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

The following voted present:

Chesney

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 Hastings, **Senate Bill No. 2949** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Halpin, **Senate Bill No. 2953** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam

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Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Villanueva, **Senate Bill No. 3006** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Faraci, **Senate Bill No. 3008** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa

Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator DeWitte, **Senate Bill No. 3016** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Hastings, **Senate Bill No. 3029** 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 56; NAY 1.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Syverson
Aquino	Feigenholtz	Koehler	Tracy
Arellano, L.	Fine	Lewis	Turner, D.
Balkema	Fowler	Lightford	Turner, S.
Belt	Glowiak Hilton	Loughran Cappel	Ventura

Bryant	Guzmán	Martwick	Villa
Castro	Halpin	McClure	Villanueva
Cervantes	Harris, N.	Morrison	Villivalam
Chesney	Harriss, E.	Murphy	Walker
Collins	Hastings	Plummer	Wilcox
Cunningham	Hills	Preston	Mr. President
Curran	Holmes	Rezin	
DeWitte	Hunter	Simmons	
Edly-Allen	Johnson	Sims	
Ellman	Jones, E.	Stadelman	

The following voted in the negative:

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.

On motion of Senator Stadelman, **Senate Bill No. 3044** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 3049** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 3051** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Guzmán, **Senate Bill No. 3071** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Villivalam, **Senate Bill No. 3087** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Joyce, **Senate Bill No. 3152** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Morrison, **Senate Bill No. 3164** 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	Ellman	Jones, E.	Sims
Aquino	Faraci	Joyce	Stadelman
Arellano, L.	Feigenholtz	Koehler	Syverson
Balkema	Fine	Lewis	Tracy
Belt	Fowler	Lightford	Turner, D.
Bryant	Glowiak Hilton	Loughran Cappel	Turner, S.
Castro	Guzmán	Martwick	Ventura
Cervantes	Halpin	Morrison	Villa
Chesney	Harris, N.	Murphy	Villanueva
Collins	Harriss, E.	Plummer	Villivalam
Cunningham	Hastings	Preston	Walker
Curran	Holmes	Rezin	Wilcox
DeWitte	Hunter	Rose	Mr. President
Edly-Allen	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 Morrison, **Senate Bill No. 3205** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Lightford, **Senate Bill No. 3207** 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; NAY 1.

The following voted in the affirmative:

Anderson	Ellman	Johnson	Sims
Aquino	Faraci	Jones, E.	Stadelman
Arellano, L.	Feigenholtz	Joyce	Syverson
Balkema	Fine	Koehler	Tracy
Belt	Fowler	Lewis	Turner, D.
Bryant	Glowiak Hilton	Lightford	Turner, S.
Castro	Guzmán	Loughran Cappel	Ventura
Cervantes	Halpin	Martwick	Villa
Chesney	Harris, N.	Morrison	Villanueva
Collins	Harriss, E.	Murphy	Villivalam
Cunningham	Hastings	Preston	Walker
Curran	Hills	Rezin	Wilcox
DeWitte	Holmes	Rose	Mr. President
Edly-Allen	Hunter	Simmons	

The following voted in the negative:

Plummer

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 McClure, **Senate Bill No. 3213** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Guzmán, **Senate Bill No. 3229** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam

Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Murphy, **Senate Bill No. 3255** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Joyce, **Senate Bill No. 3275** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa

Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Johnson, **Senate Bill No. 3325** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Simmons, **Senate Bill No. 3361** 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 50; NAYS 5.

The following voted in the affirmative:

Aquino	Fine	Joyce	Stadelman
Balkema	Fowler	Koehler	Syverson
Belt	Glowiak Hilton	Lewis	Turner, D.
Castro	Guzmán	Lightford	Turner, S.
Cervantes	Halpin	Loughran Cappel	Ventura

Collins	Harris, N.	Martwick	Villa
Cunningham	Harriss, E.	Morrison	Villanueva
Curran	Hastings	Murphy	Villivalam
DeWitte	Hills	Preston	Walker
Edly-Allen	Holmes	Rezin	Wilcox
Ellman	Hunter	Rose	Mr. President
Faraci	Johnson	Simmons	
Feigenholtz	Jones, E.	Sims	

The following voted in the negative:

Anderson	Chesney	Tracy
Arellano, L.	Plummer	

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 Hunter, **Senate Bill No. 3365** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Porfirio, **Senate Bill No. 3385** 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 56; NAY 1.

The following voted in the affirmative:

Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

The following voted in the negative:

Anderson

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 Hastings, **Senate Bill No. 3393** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Martwick, **Senate Bill No. 3403** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

[April 16, 2026]

And the question being, “Shall this bill pass?” it was decided in the affirmative by the following vote:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator D. Turner, **Senate Bill No. 3434** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	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.

[April 16, 2026]

On motion of Senator Halpin, **Senate Bill No. 3545** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Faraci, **Senate Bill No. 3632** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Belt, **Senate Bill No. 3661** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Feigenholtz, **Senate Bill No. 3697** 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 49; NAYS 7.

The following voted in the affirmative:

Aquino	Fowler	Koehler	Tracy
Belt	Glowiak Hilton	Lewis	Turner, D.
Castro	Guzmán	Lightford	Turner, S.
Cervantes	Halpin	Loughran Cappel	Ventura
Collins	Harris, N.	Martwick	Villa
Cunningham	Harriss, E.	McClure	Villanueva
Curran	Hastings	Morrison	Villivalam
DeWitte	Hills	Murphy	Walker
Edly-Allen	Holmes	Preston	Wilcox
Ellman	Hunter	Rezin	Mr. President
Faraci	Johnson	Simmons	
Feigenholtz	Jones, E.	Sims	
Fine	Joyce	Stadelman	

The following voted in the negative:

Anderson	Balkema	Chesney	Rose
Arellano, L.	Bryant	Plummer	

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 Belt, **Senate Bill No. 3774** 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 56; NAY 1.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Turner, D.
Balkema	Fowler	Lightford	Turner, S.
Belt	Glowiak Hilton	Loughran Cappel	Ventura
Bryant	Guzmán	Martwick	Villa
Castro	Halpin	McClure	Villanueva
Cervantes	Harris, N.	Morrison	Villivalam
Chesney	Harriss, E.	Murphy	Walker
Collins	Hastings	Plummer	Wilcox
Cunningham	Hills	Preston	Mr. President
Curran	Holmes	Rezin	
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

The following voted in the negative:

Tracy

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 Loughran Cappel, **Senate Bill No. 3904** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa

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Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Porfirio, **Senate Bill No. 3925** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Porfirio, **Senate Bill No. 3926** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.

Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Balkema, **Senate Bill No. 3936** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Guzmán, **Senate Bill No. 3967** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy

Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator McClure, **Senate Bill No. 4010** 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 2.

The following voted in the affirmative:

Aquino	Feigenholtz	Joyce	Sims
Arellano, L.	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Syverson
Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Collins	Harriss, E.	Morrison	Villa
Cunningham	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	Simmons	

The following voted in the negative:

Anderson
Chesney

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.

SENATE BILL RECALLED

On motion of Senator Johnson, **Senate Bill No. 2836** was recalled from the order of third reading to the order of second reading.

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Senator Johnson offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2836

AMENDMENT NO. 2 . Amend Senate Bill 2836 by replacing everything after the enacting clause with the following:

"Section 5. The Governmental Account Audit Act is amended by changing Sections 1, 3, and 6 as follows:

(50 ILCS 310/1) (from Ch. 85, par. 701)

Sec. 1. Definitions. As used in this Act, unless the context otherwise indicates:

"Governmental unit" or "unit" includes all municipal corporations in and political subdivisions of this State that appropriate more than \$5,000 for a fiscal year, with the amount to increase or decrease by the amount of the Consumer Price Index (CPI) as reported on January 1 of each year, except the following:

(1) School districts.

(2) Cities, villages, and incorporated towns subject to the Municipal Auditing Law, as contained in the Illinois Municipal Code, and cities that file a report with the Comptroller under Section 3.1-35-115 of the Illinois Municipal Code.

(3) Counties with a population of 1,000,000 or more.

(4) Counties subject to the County Auditing Law.

(5) Any other municipal corporations in or political subdivisions of this State, the accounts of which are required by law to be audited by or under the direction of the Auditor General.

(6) (Blank).

(7) A drainage district, established under the Illinois Drainage Code (70 ILCS 605), that did not receive or expend any moneys during the immediately preceding fiscal year or obtains approval for assessments and expenditures through the circuit court.

(8) Public housing authorities that submit financial reports to the U.S. Department of Housing and Urban Development.

"Governing body" means the board or other body or officers having authority to levy taxes, make appropriations, authorize the expenditure of public funds or approve claims for any governmental unit.

"Comptroller" means the Comptroller of the State of Illinois.

"Consumer Price Index" means the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor.

"Audit report" means the written report of the auditor and all appended statements and schedules relating to that report, presenting or recording the findings of an examination or audit of the financial transactions, affairs, or conditions of a governmental unit.

"Auditor" means a licensed certified public accountant, as that term is defined in Section 0.03 of the Illinois Public Accounting Act, or the substantial equivalent of a licensed CPA, as provided under Section 5.2 of the Illinois Public Accounting Act, who performs an audit of governmental unit financial statements and records and expresses an assurance or disclaims an opinion on the audited financial statements.

"Report" includes both audit reports and reports filed instead of an audit report by a governmental unit receiving revenue of less than \$1,400,000 ~~\$850,000~~ during any fiscal year to which the reports relate.

"Generally accepted accounting principles" means accounting principles generally accepted in the United States.

"Generally accepted auditing standards" means auditing standards generally accepted in the United States.

(Source: P.A. 100-837, eff. 8-13-18; 101-419, eff. 1-1-20.)

(50 ILCS 310/3) (from Ch. 85, par. 703)

Sec. 3. Beginning with fiscal year 2027, any ~~Any~~ governmental unit receiving revenue of less than \$1,400,000 ~~for any \$850,000 for any~~ fiscal year shall, in lieu of complying with the requirements of Section 2 for audits and audit reports, ~~beginning with fiscal year 2016,~~ either: (i) cause an audit of the accounts of the unit to be made once every 4 years and file with the Comptroller an annual financial report containing information required by the Comptroller, or (ii) file with the Comptroller an annual financial report containing information required by the Comptroller, a copy of which has been provided to each member of that governmental unit's board of elected officials, presented either in person or by a live phone or web connection during a public meeting, and approved by a 3/5 majority vote. In addition, a governmental unit receiving revenue of less than \$1,400,000 ~~\$850,000~~ may file with the Comptroller any audit reports which

may have been prepared under any other law. Beginning with fiscal year 2027, any ~~Any~~ governmental unit receiving revenue of ~~\$1,400,000~~ ~~\$850,000~~ or more for any fiscal year shall, in addition to complying with the requirements of Section 2 for audits and audit reports, file with the Comptroller the annual financial report required by this Section. Such annual financial reports shall be on forms so designed by the Comptroller as not to require professional accounting services for its preparation. All reports to be filed with the Comptroller under this Section must be submitted electronically and the Comptroller must post the reports on the Internet no later than 45 days after they are received. If the governmental unit provides the Comptroller's Office with sufficient evidence that the report cannot be filed electronically, the Comptroller may waive this requirement. The Comptroller must also post a list of governmental units that are not in compliance with the reporting requirements set forth in this Section.

Any financial report under this Section shall include the name of the purchasing agent who oversees all competitively bid contracts. If there is no purchasing agent, the name of the person responsible for oversight of all competitively bid contracts shall be listed.

(Source: P.A. 97-890, eff. 8-2-12; 97-1142, eff. 12-28-12; 98-1019, eff. 7-1-15.)

(50 ILCS 310/6) (from Ch. 85, par. 706)

Sec. 6. When the audit is completed the auditor making such audit shall make and sign at least 3 copies of the report of the audit and immediately file them with the governmental unit audited. Beginning with fiscal year 2027, governmental ~~Governmental~~ units receiving revenue of ~~\$1,400,000~~ ~~\$850,000~~ or more for any fiscal year shall immediately make one copy of the audit report and one copy of the financial report required by Section 3 of this Act a part of its public record. Governmental units receiving revenue of less than ~~\$1,400,000~~ ~~\$850,000~~ shall immediately make one copy of the audit report, or one copy of the report authorized by Section 3 of this Act to be filed instead of the audit report, a part of its public record. These copies shall be open to public inspection. In addition, the governmental unit shall file one copy of the report with the Comptroller and with the county clerk of the county in which the principal office of the governmental unit is located. A governmental unit may, in filing its audit report with the Comptroller, transmit with such report any comment or explanation that it wishes to make concerning the report.

(Source: P.A. 101-419, eff. 1-1-20.)

Section 10. The Township Code is amended by changing Section 80-20 as follows:

(60 ILCS 1/80-20)

Sec. 80-20. Independent audit of accounts.

(a) All accounts audited under this Article (and those rejected, if any) shall be delivered with the certificate of the trustees (or a majority of them) to the township clerk, who shall keep them on file for the inspection of any of the inhabitants of the township. They shall also be produced by the township clerk at the next annual meeting and shall be read at the meeting by the clerk.

(b) In townships that receive revenue of more than \$1,400,000 for any fiscal year, with the amount to increase or decrease by a percentage equal to the Consumer Price Index-U as reported on January 1 of each year ~~\$850,000 or more during any fiscal year, exclusive of road funds~~, the township board shall have the accounts and all records of the township thoroughly audited by a certified public accountant within 6 months after the close of each fiscal year. The board shall have a copy of the accountant's report and recommendations filed with the township clerk and another copy filed with the county clerk for public inspection.

(c) In townships that receive revenue of less than \$1,400,000 for any fiscal year, with the amount to increase or decrease by a percentage equal to the Consumer Price Index-U as reported on January 1 of each year ~~\$850,000 during any fiscal year, exclusive of road funds~~, the township board shall have the accounts and all records of the township audited and inspected by an independent auditing committee composed of 3 township electors chosen by the board. The audit shall be completed within 6 months after the close of each fiscal year. A copy of the auditing committee's report and recommendations shall be filed with the township clerk and another copy shall be filed with the county clerk for public inspection. The auditing committee shall not contain any member of the township board or any person related to a trustee. Members of the auditing committee shall be proficient in accounting principles and practices and shall be compensated at a rate determined by the township board but not to exceed \$50 per day. In addition to the other audit requirements imposed by law, in townships subject to this subsection, the township board shall have the accounts and all records of the township thoroughly audited by a certified public accountant within 6 months after (i) the end of each term of office of the township supervisor and (ii) a vacancy occurs in the

office of township supervisor. A copy of the accountant's report and recommendations shall be filed with the township clerk and another copy shall be filed with the county clerk for public inspection.

As used in this Section, "Consumer Price Index-U" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(Source: P.A. 92-582, eff. 7-1-02.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Johnson, **Senate Bill No. 2836** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	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.

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 2870** was recalled from the order of third reading to the order of second reading.

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2870

AMENDMENT NO. 2. Amend Senate Bill 2870 on page 3, line 23, after "record.", by inserting "This mailing requirement does not apply to a party's attorney or a party's other agent, or a self-represented litigant who has elected to use an agency's electronic filing system or has accepted service by email, when

the decision or order is made available for electronic retrieval through an electronic filing system or has been served by email as otherwise provided by law.”.

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.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 2870** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

On motion of Senator Belt, **Senate Bill No. 2909** 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:

Aquino	Feigenholtz	Joyce	Sims
Arellano, L.	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Syverson
Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Collins	Harriss, E.	Morrison	Villa

Cunningham	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	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 Loughran Cappel, **Senate Bill No. 2914** 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 9.

The following voted in the affirmative:

Aquino	Fowler	Koehler	Tracy
Belt	Glowiak Hilton	Lightford	Turner, D.
Bryant	Guzmán	Loughran Cappel	Ventura
Castro	Halpin	Martwick	Villa
Cervantes	Harris, N.	McClure	Villanueva
Collins	Harriss, E.	Morrison	Villivalam
Cunningham	Hastings	Murphy	Walker
DeWitte	Hills	Preston	Wilcox
Edly-Allen	Holmes	Rezin	Mr. President
Ellman	Hunter	Simmons	
Faraci	Johnson	Sims	
Feigenholtz	Jones, E.	Stadelman	
Fine	Joyce	Syverson	

The following voted in the negative:

Anderson	Chesney	Plummer
Arellano, L.	Curran	Rose
Balkema	Lewis	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 Rose asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 2914**.

SENATE BILL RECALLED

On motion of Senator Johnson, **Senate Bill No. 2968** was recalled from the order of third reading to the order of second reading.

Senator Johnson offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2968

AMENDMENT NO. 2 . Amend Senate Bill 2968, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, line 1, by replacing "community-based services" with "other employment-related community-based services".

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.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Johnson, **Senate Bill No. 2968** 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 16.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Fowler	Plummer	Wilcox
Arellano, L.	Harriss, E.	Rezin	
Balkema	Hills	Rose	
Bryant	Lewis	Syverson	
Chesney	McClure	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.

On motion of Senator Preston, **Senate Bill No. 2899** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy

Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

SENATE BILL RECALLED

On motion of Senator Belt, **Senate Bill No. 3066** was recalled from the order of third reading to the order of second reading.

Senator Belt offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3066

AMENDMENT NO. 2. Amend Senate Bill 3066, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Service Appointment Fairness Act.

Section 5. Service appointment times.

(a) If a person provides a service to a consumer, including a repair or installation service, and the provision of the service requires entry to the consumer's dwelling or requires the consumer to be present at the consumer's property for the service to be provided, the service provider shall:

(1) schedule an appointment with the consumer; and

(2) provide the consumer with reasonable notice of an estimated time or range of times during which the service provider will arrive to provide the service.

(b) If the estimated range of time provided under paragraph (2) of subsection (a) exceeds 2 hours, the service provider shall notify the consumer by telephone no later than one hour before the service provider's anticipated arrival time. The notice shall state the specific time at which the service provider expects to arrive. If the consumer does not answer the telephone, the service provider may leave a voicemail message to satisfy the requirements of this subsection.

(c) If the provider fails to satisfy the requirements of paragraph (2) of subsection (a), fails to satisfy the requirements of subsection (b), or fails to arrive within 30 minutes of the time stated in the telephone call or voicemail message as provided in subsection (b), the provider shall not charge the consumer any fee or additional charge if the consumer is not present when the service provider arrives.

Section 10. Enforcement.

(a) The Attorney General or the State's Attorney of any county in this State may bring an action in the name of the People of this State against any person to restrain and prevent any pattern or practice in violation of subsection (c) of Section 5. In the enforcement of subsection (c) of Section 5, the Attorney General or the State's Attorney may accept an assurance of voluntary compliance from anyone engaged in any conduct, act, or practice deemed in violation of subsection (c) of Section 5. Failure to perform the terms of any such assurance constitutes prima facie evidence of a violation of subsection (c) of Section 5.

(b) A violation of subsection (c) of Section 5 constitutes an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. All remedies, penalties, and authority granted to the Attorney General or the State's Attorney by the Consumer Fraud and Deceptive Business Practices Act shall be available to the Attorney General or the State's Attorney for the enforcement of subsection (c) of Section 5.

Section 15. Action for actual damages. Any person who suffers actual damage as a result of a violation of subsection (c) of Section 5 may bring an action under Section 10a of the Consumer Fraud and Deceptive Business Practices Act.

Section 90. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2MMMM as follows:

(815 ILCS 505/2MMMM new)

Sec. 2MMMM. Violations of the Service Appointment Fairness Act. Any person who violates subsection (c) of Section 5 of the Service Appointment Fairness Act commits an unlawful practice within the meaning of this Act."

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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Belt, **Senate Bill No. 3066** 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 57; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Stadelman
Aquino	Feigenholtz	Koehler	Syverson
Arellano, L.	Fine	Lewis	Tracy
Balkema	Fowler	Lightford	Turner, D.
Belt	Glowiak Hilton	Loughran Cappel	Turner, S.
Bryant	Guzmán	Martwick	Ventura
Castro	Halpin	McClure	Villa
Cervantes	Harris, N.	Morrison	Villanueva
Chesney	Harriss, E.	Murphy	Villivalam
Collins	Hastings	Plummer	Walker
Cunningham	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	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.

SENATE BILL RECALLED

On motion of Senator Edly-Allen, **Senate Bill No. 3076** was recalled from the order of third reading to the order of second reading.

Senator Edly-Allen offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3076

AMENDMENT NO. 2 . Amend Senate Bill 3076 on page 2, by replacing lines 12 through 20 with the following:

"(b-5). During the period in which the employee continues to be paid under this Section, the employing public entity shall also continue to provide the same options for health insurance benefits to the employee and, if applicable, to the employee's eligible dependents at the same benefit level as in effect immediately before the injury, and the employee shall pay no greater premium contribution rate than that which the employee was paying before the injury. Nothing in this Section shall diminish an employee's right to select health insurance coverage pursuant to the terms of an employee benefit plan or collective bargaining agreement. If the employee changes plans while receiving benefits pursuant to this Act, the employee shall pay the amount other employees pay for the same coverage pursuant to a collective bargaining agreement or, in the absence of a collective bargaining agreement, what similarly situated employees pay pursuant to the employer's health insurance plan. However, no injury to an employee of the".

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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Edly-Allen, **Senate Bill No. 3076** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

YEAS 53; NAYS None; Present 1.

The following voted in the affirmative:

Aquino	Fine	Koehler	Syverson
Arellano, L.	Fowler	Lewis	Tracy
Balkema	Glowiak Hilton	Lightford	Turner, D.
Belt	Guzmán	Loughran Cappel	Turner, S.
Bryant	Halpin	Martwick	Ventura
Castro	Harris, N.	McClure	Villa
Cervantes	Harriss, E.	Morrison	Villanueva
Collins	Hastings	Murphy	Villivalam
Curran	Hills	Preston	Walker
DeWitte	Holmes	Rezin	Wilcox
Edly-Allen	Hunter	Rose	Mr. President
Ellman	Johnson	Simmons	
Faraci	Jones, E.	Sims	
Feigenholtz	Joyce	Stadelman	

The following voted present:

Anderson

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.

SENATE BILL RECALLED

On motion of Senator D. Turner, **Senate Bill No. 3223** was recalled from the order of third reading to the order of second reading.

Senator D. Turner offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3223

AMENDMENT NO. 2. Amend Senate Bill 3223, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Pharmacy Practice Act is amended by adding Section 45 as follows:
(225 ILCS 85/45 new)

Sec. 45. Pharmaceutical recall notice sign-up. Every pharmacy licensed in this State shall post in a conspicuous place near the pharmacy counter and drive-up window, a sign that includes a QR code informing patients of the ability to sign up for medication recalls via the United States Food and Drug Administration website. The Department may adopt rules necessary to implement this Section.

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

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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator D. Turner, **Senate Bill No. 3223** 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	Jones, E.	Simmons
Aquino	Feigenholtz	Joyce	Sims
Arellano, L.	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Syverson
Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Chesney	Harriss, E.	Morrison	Villa
Collins	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Mr. President
Ellman	Johnson	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.

SENATE BILL RECALLED

On motion of Senator Murphy, **Senate Bill No. 3258** was recalled from the order of third reading to the order of second reading.

Senator Murphy offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3258

AMENDMENT NO. 1. Amend Senate Bill 3258 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Insurance Code is amended by adding Section 143.35 as follows:
(215 ILCS 5/143.35 new)

Sec. 143.35. Optional rental vehicle coverage.

(a) In response to all applications for a policy of automobile insurance, as defined in paragraph (a) of Section 143.13, received by an insurance company, the insurance company or its agent shall provide the applicant information regarding the availability of coverage for loss of use of an insured vehicle as a result of a cause of loss covered by the policy contract, including the coverage limits and costs thereof.

(b) At least 30 days prior to each renewal of a policy of automobile insurance, as defined in paragraph (a) of Section 143.13, the insurance company or its agent shall provide the insured information regarding the availability of coverage for loss of use of an insured vehicle as a result of a cause of loss covered by the policy contract, including the coverage limits and costs thereof.

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

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 BILL OF THE SENATE A THIRD TIME

On motion of Senator Murphy, **Senate Bill No. 3258** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox

Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 3379** was recalled from the order of third reading to the order of second reading.

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3379

AMENDMENT NO. 1. Amend Senate Bill 3379 by replacing everything after the enacting clause with the following:

"Section 5. Upon the payment of the sum of \$1.00 to the State of Illinois, the Director of Natural Resources is authorized to convey a nonexclusive easement to Nancy J. and Robert D. Moore, co-trustees of the Dean Moore Family Trust, and their successors or assigns, more particularly described as follows:

A 25-FT WIDE INGRESS/EGRESS EASEMENT OVER AND ACROSS PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE 4TH PRINCIPAL MERIDIAN; THE CENTERLINE OF SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD FOUND AT THE SOUTHWEST CORNER OF THE EAST HALF OF SAID NORTHEAST QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHWEST CORNER OF PARCEL NUMBER 11-13-400-006 (SAID PARCEL CURRENTLY HELD IN FEE TITLE BY THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES PER WARRANTY DEED AS FILED ON JANUARY 16, 2003 IN BOOK 2889, PAGE 298 IN THE OFFICE OF THE RECORDER OF KNOX COUNTY, ILLINOIS);

THENCE NORTH 01 DEGREES 01 MINUTES 09 SECONDS EAST ALONG THE WEST LINE OF SAID EAST HALF OF SAID NORTHEAST QUARTER, A DISTANCE OF 318.05 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE;

THENCE SOUTH 86 DEGREES 12 MINUTES 17 SECONDS EAST, A DISTANCE OF 93.94 FEET;

THENCE ALONG A CURVE CONCAVE SOUTHWEST, WITH AN ARC LENGTH OF 81.66 FEET, WITH A RADIUS OF 177.10 FEET, WITH A CHORD BEARING OF SOUTH 76 DEGREES 17 MINUTES 39 SECONDS EAST, WITH A CHORD LENGTH OF 80.94 FEET;

THENCE SOUTH 48 DEGREES 47 MINUTES 17 SECONDS EAST, A DISTANCE OF 157.50 FEET;

THENCE ALONG A CURVE CONCAVE NORTHEAST, WITH AN ARC LENGTH OF 73.95 FEET, WITH A RADIUS OF 80.92 FEET, WITH A CHORD BEARING OF SOUTH 74 DEGREES 42 MINUTES 25 SECONDS EAST, WITH A CHORD LENGTH OF 71.41 FEET;

THENCE NORTH 83 DEGREES 41 MINUTES 12 SECONDS EAST, A DISTANCE OF 81.15 FEET;

THENCE NORTH 87 DEGREES 27 MINUTES 35 SECONDS EAST, A DISTANCE OF 98.46 FEET;

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THENCE SOUTH 81 DEGREES 33 MINUTES 24 SECONDS EAST, A DISTANCE OF 178.41 FEET;
 THENCE SOUTH 87 DEGREES 46 MINUTES 38 SECONDS EAST, A DISTANCE OF 118.22 FEET;
 THENCE SOUTH 80 DEGREES 49 MINUTES 46 SECONDS EAST, A DISTANCE OF 72.15 FEET;
 THENCE NORTH 88 DEGREES 32 MINUTES 21 SECONDS EAST, A DISTANCE OF 221.48 FEET;
 THENCE ALONG A CURVE CONCAVE SOUTHWEST, WITH AN ARC LENGTH OF 79.95 FEET, WITH A RADIUS OF 105.00 FEET, WITH A CHORD BEARING OF SOUTH 73 DEGREES 03 MINUTES 08 SECONDS EAST, WITH A CHORD LENGTH OF 78.03 FEET;
 THENCE SOUTH 54 DEGREES 09 MINUTES 34 SECONDS EAST, A DISTANCE OF 112.94 FEET;
 THENCE SOUTH 46 DEGREES 44 MINUTES 22 SECONDS EAST, A DISTANCE OF 46.06 FEET;
 THENCE SOUTH 33 DEGREES 25 MINUTES 58 SECONDS EAST, A DISTANCE OF 15.42 FEET TO THE EAST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER OF SECTION 13 AND THERE TERMINATING.
 THE SIDELINES OF SAID EASEMENT SHALL BE EXTENDED OR TRUNCATED TO TERMINATE ON THE EAST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER AND THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13.
 THE ABOVE-DESCRIBED REAL ESTATE HAVING AN AREA OF 0.82 ACRES, MORE OR LESS.

Section 10. The conveyance of the easement authorized by Section 5 is made subject to: (1) existing public utilities, existing public roads, and any and all reservations, easements, encumbrances, covenants and restrictions of record; (2) the entering into of a shared maintenance agreement for the land listed in Section 5 that is the subject of the easement between the Department of Natural Resources and Nancy J. and Robert D. Moore, co-trustees of the Dean Moore Family Trust, and their successors or assigns; and (3) the express condition that if either the Department of Natural Resources or Nancy J. and Robert D. Moore, co-trustees of the Dean Moore Family Trust, and their successors or assigns, ceases to have a shared maintenance agreement for the land that is the subject of the easement in Section 5, the easement automatically terminates and the land reverts to the State of Illinois, Department of Natural Resources.

Section 15. The Director of Natural Resources shall obtain a certified copy of this Act within 60 days after the Act becomes law and record the Act in the Recorder's Office of Knox County, Illinois after the Department of Natural Resources and Nancy J. and Robert D. Moore have entered into a shared maintenance agreement as required in Section 10.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 3379** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

SENATE BILL RECALLED

On motion of Senator Ellman, **Senate Bill No. 3381** was recalled from the order of third reading to the order of second reading.

Senator Ellman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3381

AMENDMENT NO. 2. Amend Senate Bill 3381, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Water Commission Act of 1985 is amended by changing Section 2 and by adding Sections 1.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, and 4.13 as follows:

(70 ILCS 3720/1.5 new)

Sec. 1.5. Definitions. As used in this Act:

"Construction-manager-at-risk delivery method" means a delivery method in which the party proposing to be the construction manager commits to be responsible for performance of certain preconstruction services and, if the parties reach agreement on key terms, becomes responsible for construction of the project.

"Design-build delivery method" means a delivery system that provides responsibility within a single contract for the furnishing of architecture, engineering, land surveying, and related services as required and the labor, materials, equipment, and other construction services for the project.

"Design-build contract" means a contract for a public project under this Act between a commission and a design-build entity to furnish architecture, infrastructure, engineering, land surveying, public art or interpretive exhibits, and related services, as required, and the labor, materials, equipment, and other construction services for the project.

"Design-build entity" means any individual, sole proprietorship, firm, partnership, joint venture, corporation, professional corporation, or other entity that proposes to design and construct any public project under this Act.

"Design professional" means any individual, sole proprietorship, firm, partnership, joint venture, corporation, professional corporation, or other entity that offers services under the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, or the Illinois Professional Land Surveyor Act of 1989.

"Evaluation criteria" means the requirements for the separate phases of the selection process as defined in this Act and may include the specialized experience, technical qualifications and competence, capacity to perform, past performance, experience with similar projects, assignment of personnel to the project, and other appropriate factors.

"Proposal" means the offer to enter into a design-build contract as submitted by a design-build entity in accordance with this Act.

"Request for proposal" means the document used by a commission to solicit proposals for a design-build contract.

"Scope and performance criteria" means the requirements for the commission project, including, but not limited to, the intended usage, capacity, size, scope, quality and performance standards, life-cycle costs, and other programmatic criteria that are expressed in performance-oriented and quantifiable specifications and drawings that can be reasonably inferred and are suited to allow a design-build entity to develop a proposal.

(70 ILCS 3720/2) (from Ch. 111 2/3, par. 252)

Sec. 2. The General Assembly hereby finds and declares that it is necessary and in the public interest to help assure a sufficient and economic supply of a source of water within those county wide areas of this State where, because of a growth in population and proximity to large urban centers, the health, safety and welfare of the residents is threatened by an ever increasing shortage of a continuing, available and adequate source and supply of water on an economically reasonable basis; however, it is not the intent of the General Assembly to interfere with the power of municipalities to provide for the retail distribution of water to their residents or the customers of their water systems. Therefore, in order to provide for a sufficient and economic supply of water to such areas, it is hereby declared to be the law of this State that:

(a) With respect to any water commission constituted pursuant to Division 135 of the Illinois Municipal Code or established by operation of law under Public Act 83-1123, as amended, which water commission includes municipalities which in the aggregate have within their corporate limits more than 50% of the population of a county (hereinafter referred to as a "home county"), and such county is contiguous to a county which has a population in excess of 1,000,000 inhabitants, the provisions of this Act shall apply. With respect to any such water commission (hereinafter referred to as a "county water commission"):

(i) the terms of all commissioners of such commission holding office at the time a water commission becomes a county water commission shall terminate 30 days after such time and new commissioners shall be appointed as the governing board of the county water commission as hereinafter provided in subsection (c); and

(ii) the county water commission shall continue to be a body corporate and politic, and shall bear the name of the home county but shall be independent from and not a part of the county government and shall itself be a political subdivision and a unit of local government, and upon appointment of the new commissioners as the governing board of such water commission as provided in subsection (c), such water commission shall remain responsible for the full payment of, and shall by operation of law be deemed to have assumed and shall pay when due all debts and obligations of the commission as the same is constituted and as such debts and obligations existed on the date such water commission becomes a county water commission and such additional debts and obligations as are incurred by such commission after such date and prior to the appointment of the new commissioners as the governing board of such commission, and further shall continue to have and exercise all powers and functions and duties of a water commission created pursuant to Division 135 of the Illinois Municipal Code, as now or hereafter amended, and the county water commission may rely on that Division, as modified and supplemented by the provisions of this Act, as lawful authority under which it may act.

(b) Any county water commission shall have as its territory within its corporate limits, subject to taxation for its purposes, and subject to the powers and limitations as conferred by this Act, (i) all of the territory of the home county except that territory located within the corporate limits of excluded units as hereinafter defined and (ii) also all of the territory located outside the home county and included within the corporate limits of an included unit as hereinafter defined. As used in this Act, "excluded unit" means a unit

of local government having a waterworks system and having within its corporate limits territory within the home county and which either, at the time any commission becomes a county water commission, receives, or has contracted at such time for the receipt of, more than 25% of the water distributed by such unit's water system from a source outside of the home county, or a unit of local government that seeks a change in status as provided in this Section. As used in this Section, "included unit" means any unit of local government having a waterworks system and having within its corporate limits territory within the home county, which unit of local government is not an excluded unit. No other water commission shall be constituted under Division 135 of the Illinois Municipal Code in any home county after the effective date of this Act to provide water from any source located outside the home county. A unit of local government may switch its status from being an included unit to an excluded unit provided that (i) it has constructed a water treatment plant prior to December 31, 2006 to comply with United States Environmental Protection Agency regulations regarding radium; (ii) it notifies the commission in writing of its desire to become an excluded unit; and (iii) it no longer demands future service from the commission and shall not be reinstated as an included unit. In the event a unit of local government switches status, the water commission shall, from any legally available sources, transfer the sums collected from that unit of local government for the period of time beginning January 1, 2006 to the date that this tax is no longer assessed within the affected excluded unit. The transfer of funds authorized herein shall be made within 90 days of the effective date of this amendatory Act of the 95th General Assembly. Except as authorized by a county water commission, no home county or included unit shall enter into any new or renew or extend any existing contract, agreement or other arrangement for the acquisition or sale of water from any source located outside a home county; provided, however, that any included unit may contract for a supply of water in case of a temporary emergency from any other unit of local government or any entity. In the event that any included unit elects to serve retail customers outside its corporate boundaries and to establish rates and charges for such water in excess of those charged within its corporate boundaries, such rates and charges shall have a reasonable relationship to the actual cost of providing and delivering the water; this provision is declarative of existing law. It is declared to be the law of this State pursuant to paragraphs (g) and (h) of Section 6 of Article VII of the Illinois Constitution that in any home county, the provisions of this Act and Division 135 of the Illinois Municipal Code, as modified and supplemented by this Act and this amendatory Act of the 93rd General Assembly, constitute a limitation upon the power of any such county and upon all units of local government (except excluded units) within such county, including home rule units, limiting to such county, units of local government and home rule units the power to acquire, supply or distribute water or to establish any water commission for such purposes involving water from any source located outside the home county in a manner other than as provided or permitted by this Act and Division 135, as modified and supplemented by this Act, and further constitute an exercise of exclusive State power with respect to the acquisition, supply and distribution of water from any source located outside the home county by any such county and by units of local government (except excluded units), including home rule units, within such county and with respect to the establishment for such purposes of any water commission therein, which power may not be exercised concurrently by any unit of local government or home rule unit. Upon the request of any included unit, a county water commission shall provide such included unit Lake Michigan water in an amount up to the then current Department of Transportation allocation of Lake Michigan water for such included unit.

With respect to a water commission to which the provisions of subsection (a) apply, all uninhabited territory that is owned and solely occupied by such a commission and is located not within its home county but within a non-home rule municipality adjacent to its home county shall, notwithstanding any other provision of law, be disconnected from that municipality by operation of this Act on the effective date of this amendatory Act of 1991, and shall thereafter no longer be within the territory of the municipality for any purpose; except that for the purposes of any statute that requires contiguity of territory, the territory of the water commission shall be disregarded and the municipality shall not be deemed to be noncontiguous by virtue of the disconnection of the water commission territory.

(c) The governing body of any water commission to which the provisions of subsection (a) apply shall be a board of commissioners, each to be appointed within 30 days after the water commission becomes a county water commission to a term commencing on such date, as follows:

- (i) one commissioner, who shall serve as chairman, who shall be a resident of the home county, to be appointed by the chairman of the county board of such county with the advice and consent of the county board, provided that following the expiration of the term or vacancy of the current chairman serving on the effective date of this amendatory Act of the 93rd General Assembly, any subsequent

appointment as chairman shall also be subject to the advice and consent of the county water commission;

(ii) one commissioner from each county board district within the home county, to be appointed by the chairman of the county board of the home county with the advice and consent of the county board; and

(iii) one commissioner from each county board district within the home county, to be appointed by the majority vote of the mayors of those included units which are municipalities and which have the greatest percentage of their respective populations residing within such county board district of the home county.

The mayors of the respective county board districts shall meet for the purpose of making said respective appointments at a time and place designated by that mayor in each county board district of the included unit with the largest population voting for a commissioner upon not less than 10 days' written notice to each other mayor entitled to vote.

The commissioners so appointed shall serve for a term of 6 years, or until their successors have been appointed and have qualified in the same manner as the original appointments, except that at the first meeting of such commissioners, (A) the commissioners first appointed pursuant to paragraph (ii) of this subsection shall determine publicly by lot 1/3 of their number to serve for terms of 2 years, 1/3 of their number to serve for terms of 4 years and 1/3 of their number to serve for terms of 6 years, any odd number of commissioners so determined by dividing into thirds to serve ~~6-year 6-year~~ terms, and (B) the commissioners first appointed pursuant to paragraph (iii) of this subsection shall determine publicly by lot 1/3 of their number to serve for terms of 2 years, 1/3 of their number to serve for terms of 4 years and 1/3 of their number to serve for terms of 6 years, any odd number of commissioners so determined by dividing into thirds to serve ~~6-year 6-year~~ terms. The commissioner first appointed pursuant to paragraph (i) of this subsection, who shall serve as chairman, shall serve for a term of 6 years. Any commissioner may be a member of the governing board or an officer or employee of such county or any unit of local government within such county. A commissioner is eligible for reappointment upon the expiration of his term. A vacancy in the office of a commissioner shall be filled for the balance of the unexpired term by appointment and qualification as to residency in the same manner as the original appointment was made. Each commissioner shall receive the same compensation which shall not be more than \$600 per year, ~~except that no such commissioner who is a member of the governing board or an officer or employee of such county or any unit of local government within such county may receive any compensation for serving as a commissioner.~~ Each commissioner may be removed by the appointing authority for any cause for which any other county or municipal officer may be removed. The county water commission shall determine its own rules of proceeding. A quorum shall be a majority of the commissioners then in office. All ordinances or resolutions shall be passed by not less than a majority of a quorum. No commissioner or employee of the commission, no member of the county board or other official elected within such county, no mayor or president or other member of the corporate authorities of any unit of local government within such county, and no employee of such county or any such unit of local government, shall be interested directly or indirectly in any contract or job of work or materials, or the profits thereof, or services to be performed for or by the commission. A violation of any of the foregoing provisions of this subsection is a Class C misdemeanor. A conviction is cause for the removal of a person from his office or employment.

(d) Except as provided in subsection (g), subject to the referendum provided for in subsection (e), a county water commission may borrow money for corporate purposes on the credit of the commission, and issue general obligation bonds therefor, in such amounts and form and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose in an amount including existing indebtedness in the aggregate to exceed 5.75% of the aggregate value of the taxable property within the territorial boundaries of the county water commission, as equalized and assessed by the Department of Revenue and as most recently available at the time of the issue of said bonds. Before or at the time of incurring any indebtedness, except as provided in subsection (g), the commission shall provide for the collection of a direct annual tax, which shall be unlimited as to rate or amount, sufficient to pay the interest on such debt as it falls due and also to pay and discharge the principal thereof at maturity, which shall be within 40 years after the date of issue thereof. Such tax shall be levied upon and collected from all of the taxable property within the territory of the county water commission. Dissolution of the county water commission for any reason shall not relieve the taxable property within such territory of the county water commission from liability for such tax. The clerk of the commission shall file a certified copy of the resolution or ordinance by which such bonds are authorized to be issued and such tax is levied with the

County Clerk of each county in which any of the territory of the county water commission is located and such filing shall constitute, without the doing of any other act, full and complete authority for each such County Clerk to extend such tax for collection upon all the taxable property within the territory of the county water commission subject to such tax in each and every year required sufficient to pay the principal of and interest on such bonds, as aforesaid, without limit as to rate or amount, and shall be in addition to and in excess of all other taxes authorized to be levied by the commission or any included unit. The general obligation bonds shall be issued pursuant to an ordinance or resolution and may be issued in one or more series, and shall bear such date or dates, mature at such time or times and in any event not more than 40 years from the date thereof, be sold at such price at private or public sale as determined by a county water commission, bear interest at such rate or rates such that the net effective interest rate received upon the sale of such bonds does not exceed the maximum rate determined under Section 2 of the Bond Authorization Act, which rates may be fixed or variable, be in such denominations, be in such form, either coupon or registered, carry such conversion, registration, and exchange privileges, be executed in such manner, be payable in such medium of payment at such place or places within or without the State of Illinois, be subject to such terms of redemption, and contain or be subject to such other terms as the ordinance or resolution may provide, and shall not be restricted by the provisions of any other terms of obligations of public agencies or private persons.

(e) No issue of general obligation bonds by a county water commission (except bonds to refund an existing bonded indebtedness) shall be authorized unless the commission certifies the proposition of issuing such bonds to the proper election officials, who shall submit the proposition to the voters at an election in accordance with the general election law, and the proposition has been approved by a majority of those voting on the proposition.

The proposition shall be in the form provided in Section 5 or shall be substantially in the following form:

Shall general obligation bonds for the purpose of (state purpose), in the sum of \$...(insert amount), be issued by the	YES
(insert corporate name of the county water commission)?	----- NO

(f) In order to carry out and perform its powers and functions and duties under the provisions of this Act and Division 135 of the Illinois Municipal Code, as modified and supplemented by this Act, the governing body of any county water commission may by ordinance levy annually upon all taxable property within its territory a tax at a rate not to exceed .005% of the value of such property, as equalized or assessed by the Department of Revenue for the year in which the levy is made. In addition, any county water commission may by ordinance levy upon all taxable property within its territory, for one year only, an additional tax for such purposes at a rate not to exceed .20% of the value of such property, as equalized or assessed by the Department of Revenue for that year; provided, however, that such tax may not be levied more than once in any county water commission.

(g) Any county water commission shall have the power to borrow money, subject to the indebtedness limitation provided in subsection (d), from the home county or included units, in such amounts and in such terms as agreed by the governing bodies of the commission and the home county or included units.

(h) No county water commission constituted pursuant to the Act shall engage in the retail sale or distribution of water to residents or customers of any municipality.

(i) Nothing in the Section requires any municipality to contract with a county water commission for a supply of water.

(j) The State of Illinois recognizes that any such contract for the supply of water executed by a unit of local government and a county water commission may contain terms and conditions intended by the parties thereto to be absolute conditions thereof. The State of Illinois also recognizes that persons may loan funds to a county water commission (including, without limitation, the purchase of revenue or general obligation bonds of such commission) in reliance upon the terms and conditions of any such contract for the supply of water. Therefore, the State of Illinois pledges and agrees to those parties and persons which make loans of funds to a county water commission that it will not impair or limit the power or ability of a county water

commission or a unit of local government fully to carry out the financial obligations and obligation to furnish water pursuant to the terms of any contract for the supply of water entered into by such county water commission or unit of local government for the term of such contracts or loans. All other terms and conditions of such contracts and intergovernmental agreements shall be binding to the extent that they are not inconsistent with this amendatory Act of the 93rd General Assembly.

(Source: P.A. 95-114, eff. 1-1-08.)

(70 ILCS 3720/4.6 new)

Sec. 4.6. Construction contracts.

(a) All or any portion of a waterworks system or other public improvement of a commission, when the expense thereof will exceed the greater of (i) \$25,000 or (ii) the amount of expense above which a work or public improvement by a municipality must be let to the lowest responsible bidder after advertising for bids under Section 8-9-1 of the Illinois Municipal Code, shall be constructed, maintained, or repaired either: (1) by a contract let to the lowest responsible bidder after advertising for bids, in the manner prescribed by the commission's bylaws, rules, and regulations and by the vote required as established in the water purchase and sale contract; or (2) without advertising for bids, if authorized by a vote of greater than a majority of all the commissioners as established in an intergovernmental agreement. The commission's bylaws, rules, and regulations shall provide for an alternative procedure for emergency procurement if an emergency makes it impracticable to follow the procedures in this subsection.

(b) A commission may use alternative project delivery methods if the commission determines it to be in the commission's best interest for a particular project. An alternative project delivery method may include, without limitation, any design-build delivery methods or construction-manager-at-risk delivery methods. All notices for the procurement of goods, services, or work to be provided pursuant to an alternate delivery method shall include all requirements for the goods, services, or work to be procured. All awards of contracts or agreements for the procurement of goods, services, or work to be provided pursuant to an alternate delivery method shall be made on the basis of demonstrated competence and qualifications and with due regard for the principles of competitive selection. As part of an alternate project delivery procurement process, prior to submission of proposals, the commission may conduct meetings and exchange confidential information with proposers to promote understanding of the request for proposals, review alternative design concepts, or discuss other issues related to the procurement.

(c) A commission may establish goals or requirements for the procurement of goods and services and for construction contracts to promote and encourage the continuing economic development of (i) businesses that are owned and operated by minorities, women, persons with disabilities, or veterans; (ii) businesses that are located within the territory of one or more of the municipalities that are members of the commission; (iii) businesses that employ persons who reside in the territory of one or more of the municipalities that are members of the commission. A commission may also establish other goals or requirements that result in the award to a responsible bidder other than the lowest responsible bidder if the commission determines that the award is in the commission's best interests, notwithstanding the requirements of subsection (a). Goals or requirements that are set by a commission that result in a preference being applied to a bidder or proposer, who has met those goals or requirements, in a commission's process for awarding construction contracts and for the procurement of goods and services must comply with the constitutional standards applicable to the preferences.

(d) A customer municipality may enter into a contract for any portion of a waterworks system or other public improvement of a commission pursuant to a contracting method that is consistent with the requirements applicable to the municipality and generally consistent with the principles in subsection (a) or (b). The commission may accept assignment of such a contract and of payment obligations under that contract.

(e) In connection with a contract by a commission for the construction of all or any portion of a waterworks system or other public improvement of the commission for which the commission issues bonds, the commission must enter into a project labor agreement with the applicable local building trades council prior to the commencement of any and all construction, building, renovation, demolition, or any material change to the structure or land.

(70 ILCS 3720/4.7 new)

Sec. 4.7. Solicitation of proposals.

(a) A commission may enter into design-build contracts. In addition to the requirements set forth in its local ordinances, when the commission elects to use the design-build delivery method, it must issue a notice of intent to receive proposals for the project at least 14 days before issuing the request for the proposal. The

commission must publish the advance notice online on its website. The commission may publish the notice in construction industry publications or post the notice on construction industry websites. A brief description of the proposed procurement must be included in the notice. The commission must provide a copy of the request for proposal to any party requesting a copy.

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

(1) The name of the commission.

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

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

(4) Prequalification criteria for design-build entities wishing to submit proposals. The commission shall include, at a minimum, its normal prequalification, licensing, registration, and other requirements; however, nothing precludes the use of additional prequalification criteria by the commission.

(5) Material requirements of the contract, including, but not limited to, the proposed terms and conditions, required performance and payment bonds, and insurance.

(6) The performance criteria.

(7) The evaluation criteria for each phase of the solicitation. Price may not be used as a factor in the evaluation of Phase I proposals.

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

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

(d) The date that proposals are due must be at least 21 calendar days after the date of the issuance of the request for proposal. If the cost of the project is estimated to exceed \$12,000,000, then the proposal due date must be at least 28 calendar days after the date of the issuance of the request for proposal. The commission shall include in the request for proposal a minimum of 30 days to develop the Phase II submissions after the selection of entities from the Phase I evaluation is completed.

(70 ILCS 3720/4.8 new)

Sec. 4.8. Development of scope and performance criteria.

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

(b) Each request for proposal shall also include a description of the level of design to be provided in the proposals. This description must include the scope and type of renderings, drawings, and specifications that, at a minimum, will be required by the commission to be produced by the design-build entities.

(c) The scope and performance criteria shall be prepared by a licensed professional engineer who is an employee of the commission, or the commission may contract with an independent licensed professional engineer or engineering firm selected under the Local Government Professional Services Selection Act to provide these services.

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

(e) The design-build contract may be conditioned upon subsequent refinements in scope and price and may allow the commission to make modifications in the project scope without invalidating the design-build contract.

(70 ILCS 3720/4.9 new)

Sec. 4.9. Procedures for selection.

(a) The commission must use a 2-phase procedure for the selection of the successful design-build entity. Phase I of the procedure will evaluate and shortlist the design-build entities based on qualifications, and Phase II will evaluate the technical and cost proposals.

(b) The commission shall include in the request for proposal the evaluating factors to be used in Phase I. These factors are in addition to any prequalification requirements of design-build entities that the commission has set forth. Each request for proposal shall establish the relative importance assigned to each evaluation factor and subfactor, including any weighting of criteria to be employed by the commission. The

commission must maintain a record of the evaluation scoring to be disclosed in event of a protest regarding the solicitation.

The commission shall include the following criteria in every Phase I evaluation of design-build entities: (i) experience of personnel; (ii) successful experience with similar project types; (iii) financial capability; (iv) timeliness of past performance; (v) experience with similarly sized projects; (vi) successful reference checks of the firm; and (vii) commitment to assign personnel for the duration of the project and qualifications of the entity's consultants.

The commission may include any additional relevant criteria in Phase I that it deems necessary for a proper qualification review. The commission may not consider any design-build entity for evaluation or award if the entity has any pecuniary interest in the project or has other relationships or circumstances, including, but not limited to, long-term leasehold, mutual performance, or development contracts with the commission, that may give the design-build entity a financial or tangible advantage over other design-build entities in the preparation, evaluation, or performance of the design-build contract or that create the appearance of impropriety.

Upon completion of the qualifications evaluation, the commission shall create a shortlist of the most highly qualified design-build entities. The commission, in its discretion, is not required to shortlist the maximum number of entities as identified for Phase II evaluation, provided that no less than 2 design-build entities nor more than 6 are selected to submit Phase II proposals. The commission shall notify the entities selected for the shortlist in writing. This notification shall commence the period for the preparation of the Phase II technical and cost evaluations. The commission must allow sufficient time for the shortlist entities to prepare their Phase II submittals considering the scope and detail requested by the commission.

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

The commission shall include the following criteria in every Phase II technical evaluation of design-build entities: (i) compliance with objectives of the project; (ii) compliance of proposed services to the request for proposal requirements; (iii) quality of products or materials proposed; (iv) quality of design parameters; (v) design concepts; (vi) innovation in meeting the scope and performance criteria; and (vii) constructability of the proposed project. The commission may include any additional relevant technical evaluation factors it deems necessary for proper selection.

The commission may include the following criteria in every Phase II cost evaluation: the total project cost; the construction costs; and the time of completion. The commission may include any additional relevant technical evaluation factors it deems necessary for proper selection. The total project cost criteria weighting factor shall not exceed 30%.

The commission shall directly employ or retain a licensed professional engineer to evaluate the technical and cost submissions to determine if the technical submissions are in accordance with generally accepted industry standards.

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

(70 ILCS 3720/4.10 new)

Sec. 4.10. Small projects. In any case where the total overall cost of the project is estimated to be less than \$12,000,000, the commission may combine the 2-phase procedure for selection described in Section 10 into one combined procedure, provided that all the requirements of evaluation are performed in accordance with Section 11.

(70 ILCS 3720/4.11 new)

Sec. 4.11. Submission of proposals.

(a) Proposals must be properly identified and sealed. Proposals may not be reviewed until after the deadline for submission has passed as set forth in the request for proposals. All design-build entities submitting proposals shall be disclosed after the deadline for submission, and all design-build entities who are selected for Phase II evaluation shall also be disclosed at the time of that determination.

(b) Proposals may include a bid bond in the form and security as designated in the request for proposals. Proposals shall also contain a separate sealed envelope with the cost information within the

overall proposal submission. Proposals shall include a list of all design professionals and other entities to which any work may be subcontracted during the performance of the contract.

(c) Proposals must meet all material requirements of the request for proposal or they may be rejected as non-responsive. The commission has the right to reject any and all proposals.

(d) The drawings and specifications of the proposal may remain the property of the design-build entity.

(e) The commission shall review the proposals for compliance with the performance criteria and evaluation factors.

(f) Proposals may be withdrawn prior to evaluation for any cause. After evaluation begins by the commission, clear and convincing evidence of error is required for withdrawal.

(70 ILCS 3720/4.12 new)

Sec. 4.12. Award; performance. The commission may award the contract to the highest overall ranked entity. Notice of award shall be made in writing. Unsuccessful entities shall also be notified in writing. The commission may not request a best and final offer after the receipt of proposals. The commission may negotiate with the selected design-build entity after award for the purpose of securing better terms than originally proposed, provided that the salient features of the request for proposal are not diminished.

A design-build entity and associated design professionals shall conduct themselves in accordance with the relevant laws of this State and the related provisions of the Illinois Administrative Code.

(70 ILCS 3720/4.13 new)

Sec. 4.13. Applicability. Sections 4.7 through 4.12 of this Act shall apply notwithstanding anything to the contrary in Division 135 of Article 11 of the Illinois Municipal Code."

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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Ellman, **Senate Bill No. 3381** 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 50; NAYS 5.

The following voted in the affirmative:

Aquino	Fowler	Koehler	Syverson
Balkema	Glowiak Hilton	Lewis	Tracy
Belt	Guzmán	Lightford	Turner, D.
Bryant	Halpin	Loughran Cappel	Turner, S.
Castro	Harris, N.	Martwick	Ventura
Cervantes	Harriss, E.	McClure	Villa
Collins	Hastings	Murphy	Villanueva
Curran	Hills	Preston	Villivalam
DeWitte	Holmes	Rezin	Walker
Edly-Allen	Hunter	Rose	Wilcox
Ellman	Johnson	Simmons	Mr. President
Faraci	Jones, E.	Sims	
Feigenholtz	Joyce	Stadelman	

The following voted in the negative:

Anderson	Fine	Plummer
Chesney	Morrison	

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.

SENATE BILL RECALLED

On motion of Senator Martwick, **Senate Bill No. 3398** was recalled from the order of third reading to the order of second reading.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3398

AMENDMENT NO. 2. Amend Senate Bill 3398, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by adding Section 13-109.2 as follows:

(735 ILCS 5/13-109.2 new)

Sec. 13-109.2. Tenancy in common, intestate succession.

(a) A person or persons with an ownership interest in lands or tenements held as tenants in common, who acquired an ownership interest through intestate succession under Article 2 of the Probate Act of 1975, and who are in actual possession of the lands or tenements, may commence an action seeking to be adjudged the legal owner or owners of the lands or tenements to the exclusion of any nonclaiming owner or owners, if the court finds that:

(1) the person or persons bringing the action each have a household income of under 80% of area median income as determined by the United States Department of Housing and Urban Development for the county where the lands or tenements are located;

(2) the person or persons bringing the action have conducted a search, with due diligence, for anyone who may have an ownership interest in the property;

(3) for 7 successive years, the person or persons bringing the action have:

(A) held exclusive possession of the lands or tenements, with or without the permission or knowledge of others who may hold an interest in the lands or tenements as tenants in common;

(B) paid or caused to be paid all taxes legally assessed on the lands or tenements; and

(C) acquired an ownership interest in the lands or tenements through intestate succession;

and

(4) for 7 successive years, no other person or persons holding an ownership interest in the lands or tenements as tenants in common have:

(A) contributed to any taxes assessed on the lands or tenements, other than a lender under the Residential Mortgage License Act of 1987 making payments of taxes as part of its duties related to a mortgage loan;

(B) contributed to the care, maintenance, or improvement of the lands or tenements; or

(C) asserted or acted to preserve any interest in or any claim related to the lands or tenements; and

(5) the requirements of subsection (b) are satisfied and no objection is made by a person or persons with a bona fide ownership interest in the subject lands or tenements as tenants in common as set forth under subsection (c).

(b) A minimum of 2 years before commencing an action under subsection (a), a person or persons shall:

(1) file a signed declaration with the recorder of deeds in the county where the lands or tenements are located that provides a legal description of the subject lands or tenements and states the person's or persons':

(A) intention to seek ownership of lands or tenements to the exclusion of any nonclaiming owner or owners;

(B) ownership interest in the lands or tenements as tenants in common;

(C) exclusive possession of the property and consistent payment of all taxes legally assessed on the lands or tenements; and

(D) belief that no other person or persons with an ownership interest in the lands or tenements have contributed to the payment of taxes or the care, maintenance, or improvement of the lands or tenements; and

(2) send written notice after conducting the search described in paragraph (2) of subsection (a) to any person or persons who hold an ownership interest in the lands or tenements by certified and first-class mail to their last known address that includes:

(A) a statement of intention to seek ownership of lands or tenements to the exclusion of any nonclaiming owner or owners, including the address or a description of the lands or tenements;

(B) a notification that the person or persons with an ownership interest in the lands or tenements may file an objection with the recorder of deeds in the county where the lands or tenements are located as set forth in subsection (c); and

(C) an attached copy of the declaration described in paragraph (1); and

(3) send a message after conducting the search described in paragraph (2) of subsection (a) to any person or persons who hold an ownership interest in the lands or tenements by email at their last known email address, if any, and by text at their last known telephone number, if any, that includes:

(A) a statement of intention to seek ownership of lands or tenements to the exclusion of any nonclaiming owner or owners, including the address or a description of the lands or tenements; and

(B) a notification that the person or persons with an ownership interest in the lands or tenements may file an objection with the recorder of deeds in the county where the lands or tenements are located as set forth in subsection (c); and

(4) publish or cause to be published one notice of the claim under the Notice by Publication Act in a newspaper of general circulation covering the county, city, or township where the lands or tenements are located.

(c) A person or persons with an ownership interest in the lands or tenements may object to a claim under this Section by filing an objection with the recorder of deeds in the county where the lands or tenements are located. The objection shall:

(1) be signed by the person or persons objecting;

(2) describe the subject lands or tenements;

(3) state that the objecting person or persons have an ownership interest in the subject lands or tenements; and

(4) declare their objection."

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.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Martwick, **Senate Bill No. 3398** 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	Feigenholtz	Joyce	Sims
Aquino	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Syverson

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Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Chesney	Harriss, E.	Morrison	Villa
Collins	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	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 Fine, **Senate Bill No. 3487** 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 37; NAYS 19.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Curran	Lewis	Syverson
Arellano, L.	DeWitte	McClure	Tracy
Balkema	Fowler	Plummer	Turner, S.
Bryant	Harriss, E.	Rezin	Wilcox
Chesney	Hills	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.

SENATE BILL RECALLED

On motion of Senator Hunter, **Senate Bill No. 3524** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3524

AMENDMENT NO. 1 . Amend Senate Bill 3524 by replacing lines 5 through 11 on page 35 with "provision requiring both parents to exchange information annually, and either parent to report to the other parent and to the Clerk of Court within 10 days each time either parent obtains new employment, and each time either parent's employment is terminated for any reason. The information exchanged or reported ~~report~~ shall be in writing and shall verify the parent's net income as defined in this Section. In the case of new employment, the information shall include the name and"; and

on page 46, immediately below line 26, by inserting the following:

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3524

AMENDMENT NO. 2 . Amend Senate Bill 3524 by replacing lines 5 through 11 on page 35 with "provision requiring both parents to exchange information annually, and either parent to report to the other parent and to the Clerk of Court within 10 days each time either parent obtains new employment, and each time either parent's employment is terminated for any reason. The information exchanged or reported ~~report~~ shall be in writing and shall verify the parent's net income as defined in this Section. In ~~in~~ the case of new employment, the information shall include the name and"; and

on page 46, immediately below line 26, by inserting the following:

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Hunter, **Senate Bill No. 3524** 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	Feigenholtz	Joyce	Sims
Aquino	Fine	Koehler	Stadelman
Arellano, L.	Fowler	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Chesney	Harriss, E.	Morrison	Villa
Collins	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox

Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	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.

SENATE BILL RECALLED

On motion of Senator Belt, **Senate Bill No. 3766** was recalled from the order of third reading to the order of second reading.

Senator Belt offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3766

AMENDMENT NO. 2. Amend Senate Bill 3766, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 2, line 6, by replacing "supportive living facility" with "supportive living program building".

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.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Belt, **Senate Bill No. 3766** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

SENATE BILL RECALLED

On motion of Senator Glowiak Hilton, **Senate Bill No. 3897** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 2 was held in the Committee on Licensed Activities.

Senator Glowiak Hilton offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3897

AMENDMENT NO. 3 . Amend Senate Bill 3897, AS AMENDED, 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 Cemetery Oversight Act.
- The Collateral Recovery Act.
- The Community Association Manager Licensing and Disciplinary Act.
- The Detection of Deception Examiners Act.
- The Home Inspector License Act.
- The Landscape Architecture Registration Act.
- The Real Estate Appraiser Licensing Act of 2002.
- The Registered Interior Designers 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 ~~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 ~~A licensee~~ shall also be eligible to renew ~~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 licensee 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 the 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 nonrenewed 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 who 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) 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 license 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 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 20-43 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 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 ~~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 duces tecum ~~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. If 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.

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 an 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 in 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 "practice of registered interior design" ~~"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, ~~or 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 the requirements of 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 conditions ~~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 therefor ~~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's ~~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 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 examiner 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. 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).

(i) 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 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 a 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 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 or ~~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 licensee 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.

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.

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, 5-25, 5-30, 15-10, 15-10.1, 15-11, 15-15, and 25-10 as follows:
(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.

(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 458/5-25)

(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) ~~(c)~~ 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~~ ~~or~~ (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 on or before ~~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 ~~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~~ ~~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 this Act 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. ~~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 the parties 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. The Department may continue such hearing from time to time.

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, if the act or acts charged constitute sufficient grounds for such action under this Act.

(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, 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 an 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) ~~Requiring~~ ~~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."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Glowiak Hilton, **Senate Bill No. 3897** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 3917** was recalled from the order of third reading to the order of second reading.

Floor Amendment Nos. 4 and 5 were held in the Committee on Environment and Conservation.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 6 TO SENATE BILL 3917

AMENDMENT NO. 6. Amend Senate Bill 3917, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by changing Section 39 and by adding Section 39.16 as follows:

(415 ILCS 5/39) (from Ch. 111 1/2, par. 1039)

(Text of Section before amendment by P.A. 104-458)

Sec. 39. Issuance of permits; procedures.

(a) When the Board has by regulation required a permit for the construction, installation, or operation of any type of facility, equipment, vehicle, vessel, or aircraft, the applicant shall apply to the Agency for such permit and it shall be the duty of the Agency to issue such a permit upon proof by the applicant that the facility, equipment, vehicle, vessel, or aircraft will not cause a violation of this Act or of regulations hereunder. The Agency shall adopt such procedures as are necessary to carry out its duties under this Section. In making its determinations on permit applications under this Section the Agency may consider prior adjudications of noncompliance with this Act by the applicant that involved a release of a contaminant into the environment. In granting permits, the Agency may impose reasonable conditions specifically related to the applicant's past compliance history with this Act as necessary to correct, detect, or prevent noncompliance. The Agency may impose such other conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with the regulations promulgated by the Board hereunder. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit under this Section, the Agency shall transmit to the applicant within the time limitations of this Section specific, detailed statements as to the reasons the permit application was denied. Such statements shall include, but not be limited to, the following:

(i) the Sections of this Act which may be violated if the permit were granted;

(ii) the provision of the regulations, promulgated under this Act, which may be violated if the permit were granted;

(iii) the specific type of information, if any, which the Agency deems the applicant did not provide the Agency; and

(iv) a statement of specific reasons why the Act and the regulations might not be met if the permit were granted.

If there is no final action by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued; except that this time period shall be extended to 180 days when (1) notice and opportunity for public hearing are required by State or federal law or regulation, (2) the application which was filed is for any permit to develop a landfill subject to issuance pursuant to this subsection, or (3) the application that was filed is for a MSWLF unit required to issue public notice under subsection (p) of Section 39. The 90-day and 180-day time periods for the Agency to take final action do not apply to NPDES permit applications under subsection (b) of this Section, to RCRA permit applications under subsection (d) of this Section, to UIC permit applications under subsection (e) of this Section, or to CCR surface impoundment applications under subsection (y) of this Section.

The Agency shall publish notice of all final permit determinations for development permits for MSWLF units and for significant permit modifications for lateral expansions for existing MSWLF units one time in a newspaper of general circulation in the county in which the unit is or is proposed to be located.

After January 1, 1994 and until July 1, 1998, operating permits issued under this Section by the Agency for sources of air pollution permitted to emit less than 25 tons per year of any combination of regulated air pollutants, as defined in Section 39.5 of this Act, shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and regulations promulgated hereunder. Such operating permits shall expire 180 days after the date of such a request. The Board shall

revise its regulations for the existing State air pollution operating permit program consistent with this provision by January 1, 1994.

After June 30, 1998, operating permits issued under this Section by the Agency for sources of air pollution that are not subject to Section 39.5 of this Act and are not required to have a federally enforceable State operating permit shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and its rules. Such operating permits shall expire 180 days after the date of such a request. Before July 1, 1998, the Board shall revise its rules for the existing State air pollution operating permit program consistent with this paragraph and shall adopt rules that require a source to demonstrate that it qualifies for a permit under this paragraph.

(b) The Agency may issue NPDES permits exclusively under this subsection for the discharge of contaminants from point sources into navigable waters, all as defined in the Federal Water Pollution Control Act, as now or hereafter amended, within the jurisdiction of the State, or into any well.

All NPDES permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. All NPDES Permits authorizing a discharge from a facility designated by the Agency and the USEPA as a major facility shall require, at a minimum, for publicly owned treatment works, as well as for privately owned sewage treatment works, periodic sampling of influent, effluent, and biosolids for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods, and, for all other major industrial facilities, periodic effluent sampling for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods. If a permittee demonstrates through monitoring data that perfluoroalkyl and polyfluoroalkyl substances have not been detected above the minimum level of quantification for a period of 2 consecutive years, the permittee may request a modification of the NPDES permit. If the Agency makes a determination that such a request is acceptable, then the NPDES permit may be modified to reduce sample frequency.

The Agency may issue general NPDES permits for discharges from categories of point sources which are subject to the same permit limitations and conditions. Such general permits may be issued without individual applications and shall conform to regulations promulgated under Section 402 of the Federal Water Pollution Control Act, as now or hereafter amended.

The Agency may include, among such conditions, effluent limitations and other requirements established under this Act, Board regulations, the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto, and schedules for achieving compliance therewith at the earliest reasonable date.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of NPDES permits, and which are consistent with the Act or regulations adopted by the Board, and with the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto. The Agency shall require any NPDES permit application for a discharge of wastewater that has potential to contain perfluoroalkyl and polyfluoroalkyl substances to fully characterize the discharge through sample results for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods.

The Agency, subject to any conditions which may be prescribed by Board regulations, may issue NPDES permits to allow discharges beyond deadlines established by this Act or by regulations of the Board without the requirement of a variance, subject to the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

(c) Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, no permit for the development or construction of a new pollution control facility may be granted by the Agency unless the applicant submits proof to the Agency that the location of the facility has been approved by the county board of the county if in an unincorporated area, or the governing body of the municipality when in an incorporated area, in which the facility is to be located in accordance with Section 39.2 of this Act. For purposes of this subsection (c), and for purposes of Section 39.2 of this Act, the appropriate county board or governing body of the municipality shall be the county board of the county or the governing body of the municipality in which the facility is to be located as of the date when the application for siting approval is filed.

In the event that siting approval granted pursuant to Section 39.2 has been transferred to a subsequent owner or operator, that subsequent owner or operator may apply to the Agency for, and the Agency may grant, a development or construction permit for the facility for which local siting approval was granted. Upon application to the Agency for a development or construction permit by that subsequent owner or

operator, the permit applicant shall cause written notice of the permit application to be served upon the appropriate county board or governing body of the municipality that granted siting approval for that facility and upon any party to the siting proceeding pursuant to which siting approval was granted. In that event, the Agency shall conduct an evaluation of the subsequent owner or operator's prior experience in waste management operations in the manner conducted under subsection (i) of Section 39 of this Act.

Beginning August 20, 1993, if the pollution control facility consists of a hazardous or solid waste disposal facility for which the proposed site is located in an unincorporated area of a county with a population of less than 100,000 and includes all or a portion of a parcel of land that was, on April 1, 1993, adjacent to a municipality having a population of less than 5,000, then the local siting review required under this subsection (c) in conjunction with any permit applied for after that date shall be performed by the governing body of that adjacent municipality rather than the county board of the county in which the proposed site is located; and for the purposes of that local siting review, any references in this Act to the county board shall be deemed to mean the governing body of that adjacent municipality; provided, however, that the provisions of this paragraph shall not apply to any proposed site which was, on April 1, 1993, owned in whole or in part by another municipality.

In the case of a pollution control facility for which a development permit was issued before November 12, 1981, if an operating permit has not been issued by the Agency prior to August 31, 1989 for any portion of the facility, then the Agency may not issue or renew any development permit nor issue an original operating permit for any portion of such facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved by the appropriate county board or municipal governing body pursuant to Section 39.2 of this Act.

After January 1, 1994, if a solid waste disposal facility, any portion for which an operating permit has been issued by the Agency, has not accepted waste disposal for 5 or more consecutive calendar years, before that facility may accept any new or additional waste for disposal, the owner and operator must obtain a new operating permit under this Act for that facility unless the owner and operator have applied to the Agency for a permit authorizing the temporary suspension of waste acceptance. The Agency may not issue a new operation permit under this Act for the facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved or re-approved by the appropriate county board or municipal governing body under Section 39.2 of this Act after the facility ceased accepting waste.

Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, and except for new pollution control facilities governed by Section 39.2, and except for fossil fuel mining facilities, the granting of a permit under this Act shall not relieve the applicant from meeting and securing all necessary zoning approvals from the unit of government having zoning jurisdiction over the proposed facility.

Before beginning construction on any new sewage treatment plant or sludge drying site to be owned or operated by a sanitary district organized under the Metropolitan Water Reclamation District Act for which a new permit (rather than the renewal or amendment of an existing permit) is required, such sanitary district shall hold a public hearing within the municipality within which the proposed facility is to be located, or within the nearest community if the proposed facility is to be located within an unincorporated area, at which information concerning the proposed facility shall be made available to the public, and members of the public shall be given the opportunity to express their views concerning the proposed facility.

The Agency may issue a permit for a municipal waste transfer station without requiring approval pursuant to Section 39.2 provided that the following demonstration is made:

- (1) the municipal waste transfer station was in existence on or before January 1, 1979 and was in continuous operation from January 1, 1979 to January 1, 1993;
- (2) the operator submitted a permit application to the Agency to develop and operate the municipal waste transfer station during April of 1994;
- (3) the operator can demonstrate that the county board of the county, if the municipal waste transfer station is in an unincorporated area, or the governing body of the municipality, if the station is in an incorporated area, does not object to resumption of the operation of the station; and
- (4) the site has local zoning approval.

(d) The Agency may issue RCRA permits exclusively under this subsection to persons owning or operating a facility for the treatment, storage, or disposal of hazardous waste as defined under this Act. Subsection (y) of this Section, rather than this subsection (d), shall apply to permits issued for CCR surface impoundments.

All RCRA permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith as soon as possible. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a RCRA permit.

In the case of a permit to operate a hazardous waste or PCB incinerator as defined in subsection (k) of Section 44, the Agency shall require, as a condition of the permit, that the operator of the facility perform such analyses of the waste to be incinerated as may be necessary and appropriate to ensure the safe operation of the incinerator.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of RCRA permits, and which are consistent with the Act or regulations adopted by the Board, and with the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(e) The Agency may issue UIC permits exclusively under this subsection to persons owning or operating a facility for the underground injection of contaminants as defined under this Act.

All UIC permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a UIC permit.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of UIC permits, and which are consistent with the Act or regulations adopted by the Board, and with the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(f) In making any determination pursuant to Section 9.1 of this Act:

(1) The Agency shall have authority to make the determination of any question required to be determined by the Clean Air Act, as now or hereafter amended, this Act, or the regulations of the Board, including the determination of the Lowest Achievable Emission Rate, Maximum Achievable Control Technology, or Best Available Control Technology, consistent with the Board's regulations, if any.

(2) The Agency shall adopt requirements as necessary to implement public participation procedures, including, but not limited to, public notice, comment, and an opportunity for hearing, which must accompany the processing of applications for PSD permits. The Agency shall briefly describe and respond to all significant comments on the draft permit raised during the public comment period or during any hearing. The Agency may group related comments together and provide one unified response for each issue raised.

(3) Any complete permit application submitted to the Agency under this subsection for a PSD permit shall be granted or denied by the Agency not later than one year after the filing of such completed application.

(4) The Agency shall, after conferring with the applicant, give written notice to the applicant of its proposed decision on the application, including the terms and conditions of the permit to be issued and the facts, conduct, or other basis upon which the Agency will rely to support its proposed action.

(g) The Agency shall include as conditions upon all permits issued for hazardous waste disposal sites such restrictions upon the future use of such sites as are reasonably necessary to protect public health and

the environment, including permanent prohibition of the use of such sites for purposes which may create an unreasonable risk of injury to human health or to the environment. After administrative and judicial challenges to such restrictions have been exhausted, the Agency shall file such restrictions of record in the Office of the Recorder of the county in which the hazardous waste disposal site is located.

(h) A hazardous waste stream may not be deposited in a permitted hazardous waste site unless specific authorization is obtained from the Agency by the generator and disposal site owner and operator for the deposit of that specific hazardous waste stream. The Agency may grant specific authorization for disposal of hazardous waste streams only after the generator has reasonably demonstrated that, considering technological feasibility and economic reasonableness, the hazardous waste cannot be reasonably recycled for reuse, nor incinerated or chemically, physically, or biologically treated so as to neutralize the hazardous waste and render it nonhazardous. In granting authorization under this Section, the Agency may impose such conditions as may be necessary to accomplish the purposes of the Act and are consistent with this Act and regulations promulgated by the Board hereunder. If the Agency refuses to grant authorization under this Section, the applicant may appeal as if the Agency refused to grant a permit, pursuant to the provisions of subsection (a) of Section 40 of this Act. For purposes of this subsection (h), the term "generator" has the meaning given in Section 3.205 of this Act, unless: (1) the hazardous waste is treated, incinerated, or partially recycled for reuse prior to disposal, in which case the last person who treats, incinerates, or partially recycles the hazardous waste prior to disposal is the generator; or (2) the hazardous waste is from a response action, in which case the person performing the response action is the generator. This subsection (h) does not apply to any hazardous waste that is restricted from land disposal under 35 Ill. Adm. Code 728.

(i) Before issuing any RCRA permit, any permit for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incinerator, or any waste-transportation operation, any permit or interim authorization for a clean construction or demolition debris fill operation, or any permit required under subsection (d-5) of Section 55, the Agency shall conduct an evaluation of the prospective owner's or operator's prior experience in waste management operations, clean construction or demolition debris fill operations, and tire storage site management. The Agency may deny such a permit, or deny or revoke interim authorization, if the prospective owner or operator or any employee or officer of the prospective owner or operator has a history of:

(1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites, clean construction or demolition debris fill operation facilities or sites, or tire storage sites; or

(2) conviction in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this or another state or federal court of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) proof of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste, clean construction or demolition debris, or used or waste tires, or proof of gross carelessness or incompetence in using clean construction or demolition debris as fill.

(i-5) Before issuing any permit or approving any interim authorization for a clean construction or demolition debris fill operation in which any ownership interest is transferred between January 1, 2005, and the effective date of the prohibition set forth in Section 22.52 of this Act, the Agency shall conduct an evaluation of the operation if any previous activities at the site or facility may have caused or allowed contamination of the site. It shall be the responsibility of the owner or operator seeking the permit or interim authorization to provide to the Agency all of the information necessary for the Agency to conduct its evaluation. The Agency may deny a permit or interim authorization if previous activities at the site may have caused or allowed contamination at the site, unless such contamination is authorized under any permit issued by the Agency.

(j) The issuance under this Act of a permit to engage in the surface mining of any resources other than fossil fuels shall not relieve the permittee from its duty to comply with any applicable local law regulating the commencement, location, or operation of surface mining facilities.

(k) A development permit issued under subsection (a) of Section 39 for any facility or site which is required to have a permit under subsection (d) of Section 21 shall expire at the end of 2 calendar years from the date upon which it was issued, unless within that period the applicant has taken action to develop the facility or the site. In the event that review of the conditions of the development permit is sought pursuant to Section 40 or 41, or permittee is prevented from commencing development of the facility or site by any

other litigation beyond the permittee's control, such two-year period shall be deemed to begin on the date upon which such review process or litigation is concluded.

(l) No permit shall be issued by the Agency under this Act for construction or operation of any facility or site located within the boundaries of any setback zone established pursuant to this Act, where such construction or operation is prohibited.

(m) The Agency may issue permits to persons owning or operating a facility for composting landscape waste. In granting such permits, the Agency may impose such conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with applicable regulations promulgated by the Board. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit pursuant to this subsection, the Agency shall transmit to the applicant within the time limitations of this subsection specific, detailed statements as to the reasons the permit application was denied. Such statements shall include but not be limited to the following:

- (1) the Sections of this Act that may be violated if the permit were granted;
- (2) the specific regulations promulgated pursuant to this Act that may be violated if the permit were granted;
- (3) the specific information, if any, the Agency deems the applicant did not provide in its application to the Agency; and
- (4) a statement of specific reasons why the Act and the regulations might be violated if the permit were granted.

If no final action is taken by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued. Any applicant for a permit may waive the 90-day limitation by filing a written statement with the Agency.

The Agency shall issue permits for such facilities upon receipt of an application that includes a legal description of the site, a topographic map of the site drawn to the scale of 200 feet to the inch or larger, a description of the operation, including the area served, an estimate of the volume of materials to be processed, and documentation that:

- (1) the facility includes a setback of at least 200 feet from the nearest potable water supply well;
- (2) the facility is located outside the boundary of the 10-year floodplain or the site will be floodproofed;
- (3) the facility is located so as to minimize incompatibility with the character of the surrounding area, including at least a 200 foot setback from any residence, and in the case of a facility that is developed or the permitted composting area of which is expanded after November 17, 1991, the composting area is located at least 1/8 mile from the nearest residence (other than a residence located on the same property as the facility);
- (4) the design of the facility will prevent any compost material from being placed within 5 feet of the water table, will adequately control runoff from the site, and will collect and manage any leachate that is generated on the site;
- (5) the operation of the facility will include appropriate dust and odor control measures, limitations on operating hours, appropriate noise control measures for shredding, chipping and similar equipment, management procedures for composting, containment and disposal of non-compostable wastes, procedures to be used for terminating operations at the site, and recordkeeping sufficient to document the amount of materials received, composted, and otherwise disposed of; and
- (6) the operation will be conducted in accordance with any applicable rules adopted by the Board.

The Agency shall issue renewable permits of not longer than 10 years in duration for the composting of landscape wastes, as defined in Section 3.155 of this Act, based on the above requirements.

The operator of any facility permitted under this subsection (m) must submit a written annual statement to the Agency on or before April 1 of each year that includes an estimate of the amount of material, in tons, received for composting.

(n) The Agency shall issue permits jointly with the Department of Transportation for the dredging or deposit of material in Lake Michigan in accordance with Section 18 of the Rivers, Lakes, and Streams Act.

(o) (Blank).

(p) (1) Any person submitting an application for a permit for a new MSWLF unit or for a lateral expansion under subsection (t) of Section 21 of this Act for an existing MSWLF unit that has not received and is not subject to local siting approval under Section 39.2 of this Act shall publish notice of the

application in a newspaper of general circulation in the county in which the MSWLF unit is or is proposed to be located. The notice must be published at least 15 days before submission of the permit application to the Agency. The notice shall state the name and address of the applicant, the location of the MSWLF unit or proposed MSWLF unit, the nature and size of the MSWLF unit or proposed MSWLF unit, the nature of the activity proposed, the probable life of the proposed activity, the date the permit application will be submitted, and a statement that persons may file written comments with the Agency concerning the permit application within 30 days after the filing of the permit application unless the time period to submit comments is extended by the Agency.

When a permit applicant submits information to the Agency to supplement a permit application being reviewed by the Agency, the applicant shall not be required to reissue the notice under this subsection.

(2) The Agency shall accept written comments concerning the permit application that are postmarked no later than 30 days after the filing of the permit application, unless the time period to accept comments is extended by the Agency.

(3) Each applicant for a permit described in part (1) of this subsection shall file a copy of the permit application with the county board or governing body of the municipality in which the MSWLF unit is or is proposed to be located at the same time the application is submitted to the Agency. The permit application filed with the county board or governing body of the municipality shall include all documents submitted to or to be submitted to the Agency, except trade secrets as determined under Section 7.1 of this Act. The permit application and other documents on file with the county board or governing body of the municipality shall be made available for public inspection during regular business hours at the office of the county board or the governing body of the municipality and may be copied upon payment of the actual cost of reproduction.

(q) Within 6 months after July 12, 2011 (the effective date of Public Act 97-95), the Agency, in consultation with the regulated community, shall develop a web portal to be posted on its website for the purpose of enhancing review and promoting timely issuance of permits required by this Act. At a minimum, the Agency shall make the following information available on the web portal:

(1) Checklists and guidance relating to the completion of permit applications, developed pursuant to subsection (s) of this Section, which may include, but are not limited to, existing instructions for completing the applications and examples of complete applications. As the Agency develops new checklists and develops guidance, it shall supplement the web portal with those materials.

(2) Within 2 years after July 12, 2011 (the effective date of Public Act 97-95), permit application forms or portions of permit applications that can be completed and saved electronically, and submitted to the Agency electronically with digital signatures.

(3) Within 2 years after July 12, 2011 (the effective date of Public Act 97-95), an online tracking system where an applicant may review the status of its pending application, including the name and contact information of the permit analyst assigned to the application. Until the online tracking system has been developed, the Agency shall post on its website semi-annual permitting efficiency tracking reports that include statistics on the timeframes for Agency action on the following types of permits received after July 12, 2011 (the effective date of Public Act 97-95): air construction permits, new NPDES permits and associated water construction permits, and modifications of major NPDES permits and associated water construction permits. The reports must be posted by February 1 and August 1 each year and shall include:

(A) the number of applications received for each type of permit, the number of applications on which the Agency has taken action, and the number of applications still pending; and

(B) for those applications where the Agency has not taken action in accordance with the timeframes set forth in this Act, the date the application was received and the reasons for any delays, which may include, but shall not be limited to, (i) the application being inadequate or incomplete, (ii) scientific or technical disagreements with the applicant, USEPA, or other local, state, or federal agencies involved in the permitting approval process, (iii) public opposition to the permit, or (iv) Agency staffing shortages. To the extent practicable, the tracking report shall provide approximate dates when cause for delay was identified by the Agency, when the Agency informed the applicant of the problem leading to the delay, and when the applicant remedied the reason for the delay.

(r) Upon the request of the applicant, the Agency shall notify the applicant of the permit analyst assigned to the application upon its receipt.

(s) The Agency is authorized to prepare and distribute guidance documents relating to its administration of this Section and procedural rules implementing this Section. Guidance documents prepared under this subsection shall not be considered rules and shall not be subject to the Illinois Administrative Procedure Act. Such guidance shall not be binding on any party.

(t) Except as otherwise prohibited by federal law or regulation, any person submitting an application for a permit may include with the application suggested permit language for Agency consideration. The Agency is not obligated to use the suggested language or any portion thereof in its permitting decision. If requested by the permit applicant, the Agency shall meet with the applicant to discuss the suggested language.

(u) If requested by the permit applicant, the Agency shall provide the permit applicant with a copy of the draft permit prior to any public review period.

(v) If requested by the permit applicant, the Agency shall provide the permit applicant with a copy of the final permit prior to its issuance.

(w) An air pollution permit shall not be required due to emissions of greenhouse gases, as specified by Section 9.15 of this Act.

(x) If, before the expiration of a State operating permit that is issued pursuant to subsection (a) of this Section and contains federally enforceable conditions limiting the potential to emit of the source to a level below the major source threshold for that source so as to exclude the source from the Clean Air Act Permit Program, the Agency receives a complete application for the renewal of that permit, then all of the terms and conditions of the permit shall remain in effect until final administrative action has been taken on the application for the renewal of the permit.

(y) The Agency may issue permits exclusively under this subsection to persons owning or operating a CCR surface impoundment subject to Section 22.59.

(z) If a mass animal mortality event is declared by the Department of Agriculture in accordance with the Animal Mortality Act:

(1) the owner or operator responsible for the disposal of dead animals is exempted from the following:

(i) obtaining a permit for the construction, installation, or operation of any type of facility or equipment issued in accordance with subsection (a) of this Section;

(ii) obtaining a permit for open burning in accordance with the rules adopted by the Board; and

(iii) registering the disposal of dead animals as an eligible small source with the Agency in accordance with Section 9.14 of this Act;

(2) as applicable, the owner or operator responsible for the disposal of dead animals is required to obtain the following permits:

(i) an NPDES permit in accordance with subsection (b) of this Section;

(ii) a PSD permit or an NA NSR permit in accordance with Section 9.1 of this Act;

(iii) a lifetime State operating permit or a federally enforceable State operating permit, in accordance with subsection (a) of this Section; or

(iv) a CAAPP permit, in accordance with Section 39.5 of this Act.

All CCR surface impoundment permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act, Board regulations, the Illinois Groundwater Protection Act and regulations pursuant thereto, and the Resource Conservation and Recovery Act and regulations pursuant thereto, and may include schedules for achieving compliance therewith as soon as possible.

The Board shall adopt filing requirements and procedures that are necessary and appropriate for the issuance of CCR surface impoundment permits and that are consistent with this Act or regulations adopted by the Board, and with the RCRA, as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, on its public internet website as well as at the office of the county board or governing body of the municipality where CCR from the CCR surface impoundment will be permanently disposed. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office.

The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.
(Source: P.A. 101-171, eff. 7-30-19; 102-216, eff. 1-1-22; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

(Text of Section after amendment by P.A. 104-458)

Sec. 39. Issuance of permits; procedures.

(a) When the Board has by regulation required a permit for the construction, installation, or operation of any type of facility, equipment, vehicle, vessel, or aircraft, the applicant shall apply to the Agency for such permit and it shall be the duty of the Agency to issue such a permit upon proof by the applicant that the facility, equipment, vehicle, vessel, or aircraft will not cause a violation of this Act or of regulations hereunder. The Agency shall adopt such procedures as are necessary to carry out its duties under this Section. In making its determinations on permit applications under this Section the Agency may consider prior adjudications of noncompliance with this Act by the applicant that involved a release of a contaminant into the environment. In granting permits, the Agency may impose reasonable conditions specifically related to the applicant's past compliance history with this Act as necessary to correct, detect, or prevent noncompliance. The Agency may impose such other conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with the regulations promulgated by the Board hereunder. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit under this Section, the Agency shall transmit to the applicant within the time limitations of this Section specific, detailed statements as to the reasons the permit application was denied. Such statements shall include, but not be limited to, the following:

- (i) the Sections of this Act which may be violated if the permit were granted;
- (ii) the provision of the regulations, promulgated under this Act, which may be violated if the permit were granted;
- (iii) the specific type of information, if any, which the Agency deems the applicant did not provide the Agency; and
- (iv) a statement of specific reasons why the Act and the regulations might not be met if the permit were granted.

If there is no final action by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued; except that this time period shall be extended to 180 days when (1) notice and opportunity for public hearing are required by State or federal law or regulation, (2) the application which was filed is for any permit to develop a landfill subject to issuance pursuant to this subsection, or (3) the application that was filed is for a MSWLF unit required to issue public notice under subsection (p) of Section 39. The 90-day and 180-day time periods for the Agency to take final action do not apply to NPDES permit applications under subsection (b) of this Section, to RCRA permit applications under subsection (d) of this Section, to UIC permit applications under subsection (e) of this Section, or to CCR surface impoundment applications under subsection (y) of this Section.

The Agency shall publish notice of all final permit determinations for development permits for MSWLF units and for significant permit modifications for lateral expansions for existing MSWLF units one time in a newspaper of general circulation in the county in which the unit is or is proposed to be located.

After January 1, 1994 and until July 1, 1998, operating permits issued under this Section by the Agency for sources of air pollution permitted to emit less than 25 tons per year of any combination of regulated air pollutants, as defined in Section 39.5 of this Act, shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and regulations promulgated hereunder. Such operating permits shall expire 180 days after the date of such a request. The Board shall revise its regulations for the existing State air pollution operating permit program consistent with this provision by January 1, 1994.

After June 30, 1998, operating permits issued under this Section by the Agency for sources of air pollution that are not subject to Section 39.5 of this Act and are not required to have a federally enforceable State operating permit shall be required to be renewed only upon written request by the Agency consistent with applicable provisions of this Act and its rules. Such operating permits shall expire 180 days after the date of such a request. Before July 1, 1998, the Board shall revise its rules for the existing State air pollution operating permit program consistent with this paragraph and shall adopt rules that require a source to demonstrate that it qualifies for a permit under this paragraph.

Each air pollution construction permit for diesel powered backup generators to a source that is a data center, as defined in subsection (c) of Section 605-1025 of the Department of Commerce and Economic

Opportunity Law of the Civil Administrative Code of Illinois, that is applied for 6 months after the effective date of this amendatory Act of the 104th General Assembly and that is required to have a federally enforceable State operating permit or a Clean Air Act Permit Program permit shall, in addition to any other applicable requirements, require each backup generator to: (i) meet standards at least as protective as Tier 4 standards for non-road diesel engines set out by the United States Environmental Protection Agency in 40 CFR 1039, as it exists on the effective date of this amendatory Act of the 104th General Assembly, and (ii) operate solely as an emergency or standby unit in accordance with 35 Ill. Adm. Code 211.1920, as it exists on the effective date of this amendatory Act of the 104th General Assembly. If a diesel powered backup generator becomes out of compliance with the Tier 4 standards for non-road compression-ignition engines during a power outage, the backup generator may (1) continue to operate for up to 24 sequential hours after becoming noncompliant with the Tier 4 standards or (2) operate when compliance is achieved. Notwithstanding any provision of law to the contrary, operation of the backup generator for up to 24 sequential hours after becoming noncompliant with the Tier 4 standards shall not be considered a violation of the permit.

Each air pollution construction permit for natural gas powered backup generators for a source that is a data center, as defined in subsection (c) of Section 605-1025 of the Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois, that is applied for 6 months after the effective date of this amendatory Act of the 104th General Assembly and that is required to have a federally enforceable State operating permit or a Clean Air Act Permit Program permit shall, in addition to any other applicable requirements, require each backup generator to: (i) meet standards at least as protective as Tier 2 standards for non-road large spark-ignition engines set out by the United States Environmental Protection Agency in 40 CFR 1048, as it exists on the effective date of this amendatory Act of the 104th General Assembly, and (ii) operate solely as an emergency or standby unit in accordance with 35 Ill. Adm. Code 211.1920, as it exists on the effective date of this amendatory Act of the 104th General Assembly. If a natural gas powered backup generator becomes out of compliance with the Tier 2 standards for non-road large spark-ignition engines during a power outage, the backup generator may (1) continue to operate for up to 24 sequential hours after becoming noncompliant with the Tier 2 standards or (2) operate when compliance is achieved. Notwithstanding any provision of law to the contrary, operation of the backup generator for up to 24 sequential hours after becoming noncompliant with the Tier 2 standards shall not be considered a violation of the permit.

(b) The Agency may issue NPDES permits exclusively under this subsection for the discharge of contaminants from point sources into navigable waters, all as defined in the Federal Water Pollution Control Act, as now or hereafter amended, within the jurisdiction of the State, or into any well.

All NPDES permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. All NPDES Permits authorizing a discharge from a facility designated by the Agency and the USEPA as a major facility shall require, at a minimum, for publicly owned treatment works, as well as for privately owned sewage treatment works, periodic sampling of influent, effluent, and biosolids for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods, and, for all other major industrial facilities, periodic effluent sampling for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods. If a permittee demonstrates through monitoring data that perfluoroalkyl and polyfluoroalkyl substances have not been detected above the minimum level of quantification for a period of 2 consecutive years, the permittee may request a modification of the NPDES permit. If the Agency makes a determination that such a request is acceptable, then the NPDES permit may be modified to reduce sample frequency.

The Agency may issue general NPDES permits for discharges from categories of point sources which are subject to the same permit limitations and conditions. Such general permits may be issued without individual applications and shall conform to regulations promulgated under Section 402 of the Federal Water Pollution Control Act, as now or hereafter amended.

The Agency may include, among such conditions, effluent limitations and other requirements established under this Act, Board regulations, the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto, and schedules for achieving compliance therewith at the earliest reasonable date.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of NPDES permits, and which are consistent with the Act or regulations adopted by the Board, and with the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant

thereto. The Agency shall require any NPDES permit application for a discharge of wastewater that has potential to contain perfluoroalkyl and polyfluoroalkyl substances to fully characterize the discharge through sample results for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods.

The Agency, subject to any conditions which may be prescribed by Board regulations, may issue NPDES permits to allow discharges beyond deadlines established by this Act or by regulations of the Board without the requirement of a variance, subject to the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto.

(c) Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, no permit for the development or construction of a new pollution control facility may be granted by the Agency unless the applicant submits proof to the Agency that the location of the facility has been approved by the county board of the county if in an unincorporated area, or the governing body of the municipality when in an incorporated area, in which the facility is to be located in accordance with Section 39.2 of this Act. For purposes of this subsection (c), and for purposes of Section 39.2 of this Act, the appropriate county board or governing body of the municipality shall be the county board of the county or the governing body of the municipality in which the facility is to be located as of the date when the application for siting approval is filed.

In the event that siting approval granted pursuant to Section 39.2 has been transferred to a subsequent owner or operator, that subsequent owner or operator may apply to the Agency for, and the Agency may grant, a development or construction permit for the facility for which local siting approval was granted. Upon application to the Agency for a development or construction permit by that subsequent owner or operator, the permit applicant shall cause written notice of the permit application to be served upon the appropriate county board or governing body of the municipality that granted siting approval for that facility and upon any party to the siting proceeding pursuant to which siting approval was granted. In that event, the Agency shall conduct an evaluation of the subsequent owner or operator's prior experience in waste management operations in the manner conducted under subsection (i) of Section 39 of this Act.

Beginning August 20, 1993, if the pollution control facility consists of a hazardous or solid waste disposal facility for which the proposed site is located in an unincorporated area of a county with a population of less than 100,000 and includes all or a portion of a parcel of land that was, on April 1, 1993, adjacent to a municipality having a population of less than 5,000, then the local siting review required under this subsection (c) in conjunction with any permit applied for after that date shall be performed by the governing body of that adjacent municipality rather than the county board of the county in which the proposed site is located; and for the purposes of that local siting review, any references in this Act to the county board shall be deemed to mean the governing body of that adjacent municipality; provided, however, that the provisions of this paragraph shall not apply to any proposed site which was, on April 1, 1993, owned in whole or in part by another municipality.

In the case of a pollution control facility for which a development permit was issued before November 12, 1981, if an operating permit has not been issued by the Agency prior to August 31, 1989 for any portion of the facility, then the Agency may not issue or renew any development permit nor issue an original operating permit for any portion of such facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved by the appropriate county board or municipal governing body pursuant to Section 39.2 of this Act.

After January 1, 1994, if a solid waste disposal facility, any portion for which an operating permit has been issued by the Agency, has not accepted waste disposal for 5 or more consecutive calendar years, before that facility may accept any new or additional waste for disposal, the owner and operator must obtain a new operating permit under this Act for that facility unless the owner and operator have applied to the Agency for a permit authorizing the temporary suspension of waste acceptance. The Agency may not issue a new operation permit under this Act for the facility unless the applicant has submitted proof to the Agency that the location of the facility has been approved or re-approved by the appropriate county board or municipal governing body under Section 39.2 of this Act after the facility ceased accepting waste.

Except for those facilities owned or operated by sanitary districts organized under the Metropolitan Water Reclamation District Act, and except for new pollution control facilities governed by Section 39.2, and except for fossil fuel mining facilities, the granting of a permit under this Act shall not relieve the applicant from meeting and securing all necessary zoning approvals from the unit of government having zoning jurisdiction over the proposed facility.

Before beginning construction on any new sewage treatment plant or sludge drying site to be owned or operated by a sanitary district organized under the Metropolitan Water Reclamation District Act for which a new permit (rather than the renewal or amendment of an existing permit) is required, such sanitary district shall hold a public hearing within the municipality within which the proposed facility is to be located, or within the nearest community if the proposed facility is to be located within an unincorporated area, at which information concerning the proposed facility shall be made available to the public, and members of the public shall be given the opportunity to express their views concerning the proposed facility.

The Agency may issue a permit for a municipal waste transfer station without requiring approval pursuant to Section 39.2 provided that the following demonstration is made:

(1) the municipal waste transfer station was in existence on or before January 1, 1979 and was in continuous operation from January 1, 1979 to January 1, 1993;

(2) the operator submitted a permit application to the Agency to develop and operate the municipal waste transfer station during April of 1994;

(3) the operator can demonstrate that the county board of the county, if the municipal waste transfer station is in an unincorporated area, or the governing body of the municipality, if the station is in an incorporated area, does not object to resumption of the operation of the station; and

(4) the site has local zoning approval.

(d) The Agency may issue RCRA permits exclusively under this subsection to persons owning or operating a facility for the treatment, storage, or disposal of hazardous waste as defined under this Act. Subsection (y) of this Section, rather than this subsection (d), shall apply to permits issued for CCR surface impoundments.

All RCRA permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith as soon as possible. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a RCRA permit.

In the case of a permit to operate a hazardous waste or PCB incinerator as defined in subsection (k) of Section 44, the Agency shall require, as a condition of the permit, that the operator of the facility perform such analyses of the waste to be incinerated as may be necessary and appropriate to ensure the safe operation of the incinerator.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of RCRA permits, and which are consistent with the Act or regulations adopted by the Board, and with the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(e) The Agency may issue UIC permits exclusively under this subsection to persons owning or operating a facility for the underground injection of contaminants as defined under this Act.

All UIC permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act. The Agency may include among such conditions standards and other requirements established under this Act, Board regulations, the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto, and may include schedules for achieving compliance therewith. The Agency shall require that a performance bond or other security be provided as a condition for the issuance of a UIC permit.

The Agency shall adopt filing requirements and procedures which are necessary and appropriate for the issuance of UIC permits, and which are consistent with the Act or regulations adopted by the Board, and with the Safe Drinking Water Act (P.L. 93-523), as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, at the office of the county board or governing body of the municipality. Such documents may be copied upon payment of

the actual cost of reproduction during regular business hours of the local office. The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(f) In making any determination pursuant to Section 9.1 of this Act:

(1) The Agency shall have authority to make the determination of any question required to be determined by the Clean Air Act, as now or hereafter amended, this Act, or the regulations of the Board, including the determination of the Lowest Achievable Emission Rate, Maximum Achievable Control Technology, or Best Available Control Technology, consistent with the Board's regulations, if any.

(2) The Agency shall adopt requirements as necessary to implement public participation procedures, including, but not limited to, public notice, comment, and an opportunity for hearing, which must accompany the processing of applications for PSD permits. The Agency shall briefly describe and respond to all significant comments on the draft permit raised during the public comment period or during any hearing. The Agency may group related comments together and provide one unified response for each issue raised.

(3) Any complete permit application submitted to the Agency under this subsection for a PSD permit shall be granted or denied by the Agency not later than one year after the filing of such completed application.

(4) The Agency shall, after conferring with the applicant, give written notice to the applicant of its proposed decision on the application, including the terms and conditions of the permit to be issued and the facts, conduct, or other basis upon which the Agency will rely to support its proposed action.

(g) The Agency shall include as conditions upon all permits issued for hazardous waste disposal sites such restrictions upon the future use of such sites as are reasonably necessary to protect public health and the environment, including permanent prohibition of the use of such sites for purposes which may create an unreasonable risk of injury to human health or to the environment. After administrative and judicial challenges to such restrictions have been exhausted, the Agency shall file such restrictions of record in the Office of the Recorder of the county in which the hazardous waste disposal site is located.

(h) A hazardous waste stream may not be deposited in a permitted hazardous waste site unless specific authorization is obtained from the Agency by the generator and disposal site owner and operator for the deposit of that specific hazardous waste stream. The Agency may grant specific authorization for disposal of hazardous waste streams only after the generator has reasonably demonstrated that, considering technological feasibility and economic reasonableness, the hazardous waste cannot be reasonably recycled for reuse, nor incinerated or chemically, physically, or biologically treated so as to neutralize the hazardous waste and render it nonhazardous. In granting authorization under this Section, the Agency may impose such conditions as may be necessary to accomplish the purposes of the Act and are consistent with this Act and regulations promulgated by the Board hereunder. If the Agency refuses to grant authorization under this Section, the applicant may appeal as if the Agency refused to grant a permit, pursuant to the provisions of subsection (a) of Section 40 of this Act. For purposes of this subsection (h), the term "generator" has the meaning given in Section 3.205 of this Act, unless: (1) the hazardous waste is treated, incinerated, or partially recycled for reuse prior to disposal, in which case the last person who treats, incinerates, or partially recycles the hazardous waste prior to disposal is the generator; or (2) the hazardous waste is from a response action, in which case the person performing the response action is the generator. This subsection (h) does not apply to any hazardous waste that is restricted from land disposal under 35 Ill. Adm. Code 728.

(i) Before issuing any RCRA permit, any permit for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incinerator, or any waste-transportation operation, any permit or interim authorization for a clean construction or demolition debris fill operation, or any permit required under subsection (d-5) of Section 55, the Agency shall conduct an evaluation of the prospective owner's or operator's prior experience in waste management operations, clean construction or demolition debris fill operations, and tire storage site management. The Agency may deny such a permit, or deny or revoke interim authorization, if the prospective owner or operator or any employee or officer of the prospective owner or operator has a history of:

(1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites, clean construction or demolition debris fill operation facilities or sites, or tire storage sites; or

(2) conviction in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or conviction in this or another state or federal court

of any of the following crimes: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition; or

(3) proof of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste, clean construction or demolition debris, or used or waste tires, or proof of gross carelessness or incompetence in using clean construction or demolition debris as fill.

(i-5) Before issuing any permit or approving any interim authorization for a clean construction or demolition debris fill operation in which any ownership interest is transferred between January 1, 2005, and the effective date of the prohibition set forth in Section 22.52 of this Act, the Agency shall conduct an evaluation of the operation if any previous activities at the site or facility may have caused or allowed contamination of the site. It shall be the responsibility of the owner or operator seeking the permit or interim authorization to provide to the Agency all of the information necessary for the Agency to conduct its evaluation. The Agency may deny a permit or interim authorization if previous activities at the site may have caused or allowed contamination at the site, unless such contamination is authorized under any permit issued by the Agency.

(j) The issuance under this Act of a permit to engage in the surface mining of any resources other than fossil fuels shall not relieve the permittee from its duty to comply with any applicable local law regulating the commencement, location, or operation of surface mining facilities.

(k) A development permit issued under subsection (a) of Section 39 for any facility or site which is required to have a permit under subsection (d) of Section 21 shall expire at the end of 2 calendar years from the date upon which it was issued, unless within that period the applicant has taken action to develop the facility or the site. In the event that review of the conditions of the development permit is sought pursuant to Section 40 or 41, or permittee is prevented from commencing development of the facility or site by any other litigation beyond the permittee's control, such two-year period shall be deemed to begin on the date upon which such review process or litigation is concluded.

(l) No permit shall be issued by the Agency under this Act for construction or operation of any facility or site located within the boundaries of any setback zone established pursuant to this Act, where such construction or operation is prohibited.

(m) The Agency may issue permits to persons owning or operating a facility for composting landscape waste. In granting such permits, the Agency may impose such conditions as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with applicable regulations promulgated by the Board. Except as otherwise provided in this Act, a bond or other security shall not be required as a condition for the issuance of a permit. If the Agency denies any permit pursuant to this subsection, the Agency shall transmit to the applicant within the time limitations of this subsection specific, detailed statements as to the reasons the permit application was denied. Such statements shall include but not be limited to the following:

(1) the Sections of this Act that may be violated if the permit were granted;

(2) the specific regulations promulgated pursuant to this Act that may be violated if the permit were granted;

(3) the specific information, if any, the Agency deems the applicant did not provide in its application to the Agency; and

(4) a statement of specific reasons why the Act and the regulations might be violated if the permit were granted.

If no final action is taken by the Agency within 90 days after the filing of the application for permit, the applicant may deem the permit issued. Any applicant for a permit may waive the 90-day limitation by filing a written statement with the Agency.

The Agency shall issue permits for such facilities upon receipt of an application that includes a legal description of the site, a topographic map of the site drawn to the scale of 200 feet to the inch or larger, a description of the operation, including the area served, an estimate of the volume of materials to be processed, and documentation that:

(1) the facility includes a setback of at least 200 feet from the nearest potable water supply well;

(2) the facility is located outside the boundary of the 10-year floodplain or the site will be floodproofed;

(3) the facility is located so as to minimize incompatibility with the character of the surrounding area, including at least a 200 foot setback from any residence, and in the case of a facility that is developed or the permitted composting area of which is expanded after November 17, 1991, the

composting area is located at least 1/8 mile from the nearest residence (other than a residence located on the same property as the facility);

(4) the design of the facility will prevent any compost material from being placed within 5 feet of the water table, will adequately control runoff from the site, and will collect and manage any leachate that is generated on the site;

(5) the operation of the facility will include appropriate dust and odor control measures, limitations on operating hours, appropriate noise control measures for shredding, chipping and similar equipment, management procedures for composting, containment and disposal of non-compostable wastes, procedures to be used for terminating operations at the site, and recordkeeping sufficient to document the amount of materials received, composted, and otherwise disposed of; and

(6) the operation will be conducted in accordance with any applicable rules adopted by the Board.

The Agency shall issue renewable permits of not longer than 10 years in duration for the composting of landscape wastes, as defined in Section 3.155 of this Act, based on the above requirements.

The operator of any facility permitted under this subsection (m) must submit a written annual statement to the Agency on or before April 1 of each year that includes an estimate of the amount of material, in tons, received for composting.

(n) The Agency shall issue permits jointly with the Department of Transportation for the dredging or deposit of material in Lake Michigan in accordance with Section 18 of the Rivers, Lakes, and Streams Act.

(o) (Blank).

(p) (1) Any person submitting an application for a permit for a new MSWLF unit or for a lateral expansion under subsection (t) of Section 21 of this Act for an existing MSWLF unit that has not received and is not subject to local siting approval under Section 39.2 of this Act shall publish notice of the application in a newspaper of general circulation in the county in which the MSWLF unit is or is proposed to be located. The notice must be published at least 15 days before submission of the permit application to the Agency. The notice shall state the name and address of the applicant, the location of the MSWLF unit or proposed MSWLF unit, the nature and size of the MSWLF unit or proposed MSWLF unit, the nature of the activity proposed, the probable life of the proposed activity, the date the permit application will be submitted, and a statement that persons may file written comments with the Agency concerning the permit application within 30 days after the filing of the permit application unless the time period to submit comments is extended by the Agency.

When a permit applicant submits information to the Agency to supplement a permit application being reviewed by the Agency, the applicant shall not be required to reissue the notice under this subsection.

(2) The Agency shall accept written comments concerning the permit application that are postmarked no later than 30 days after the filing of the permit application, unless the time period to accept comments is extended by the Agency.

(3) Each applicant for a permit described in part (1) of this subsection shall file a copy of the permit application with the county board or governing body of the municipality in which the MSWLF unit is or is proposed to be located at the same time the application is submitted to the Agency. The permit application filed with the county board or governing body of the municipality shall include all documents submitted to or to be submitted to the Agency, except trade secrets as determined under Section 7.1 of this Act. The permit application and other documents on file with the county board or governing body of the municipality shall be made available for public inspection during regular business hours at the office of the county board or the governing body of the municipality and may be copied upon payment of the actual cost of reproduction.

(q) Within 6 months after July 12, 2011 (the effective date of Public Act 97-95), the Agency, in consultation with the regulated community, shall develop a web portal to be posted on its website for the purpose of enhancing review and promoting timely issuance of permits required by this Act. At a minimum, the Agency shall make the following information available on the web portal:

(1) Checklists and guidance relating to the completion of permit applications, developed pursuant to subsection (s) of this Section, which may include, but are not limited to, existing instructions for completing the applications and examples of complete applications. As the Agency develops new checklists and develops guidance, it shall supplement the web portal with those materials.

(2) Within 2 years after July 12, 2011 (the effective date of Public Act 97-95), permit application forms or portions of permit applications that can be completed and saved electronically, and submitted to the Agency electronically with digital signatures.

(3) Within 2 years after July 12, 2011 (the effective date of Public Act 97-95), an online tracking system where an applicant may review the status of its pending application, including the name and contact information of the permit analyst assigned to the application. Until the online tracking system has been developed, the Agency shall post on its website semi-annual permitting efficiency tracking reports that include statistics on the timeframes for Agency action on the following types of permits received after July 12, 2011 (the effective date of Public Act 97-95): air construction permits, new NPDES permits and associated water construction permits, and modifications of major NPDES permits and associated water construction permits. The reports must be posted by February 1 and August 1 each year and shall include:

(A) the number of applications received for each type of permit, the number of applications on which the Agency has taken action, and the number of applications still pending; and

(B) for those applications where the Agency has not taken action in accordance with the timeframes set forth in this Act, the date the application was received and the reasons for any delays, which may include, but shall not be limited to, (i) the application being inadequate or incomplete, (ii) scientific or technical disagreements with the applicant, USEPA, or other local, state, or federal agencies involved in the permitting approval process, (iii) public opposition to the permit, or (iv) Agency staffing shortages. To the extent practicable, the tracking report shall provide approximate dates when cause for delay was identified by the Agency, when the Agency informed the applicant of the problem leading to the delay, and when the applicant remedied the reason for the delay.

(r) Upon the request of the applicant, the Agency shall notify the applicant of the permit analyst assigned to the application upon its receipt.

(s) The Agency is authorized to prepare and distribute guidance documents relating to its administration of this Section and procedural rules implementing this Section. Guidance documents prepared under this subsection shall not be considered rules and shall not be subject to the Illinois Administrative Procedure Act. Such guidance shall not be binding on any party.

(t) Except as otherwise prohibited by federal law or regulation, any person submitting an application for a permit may include with the application suggested permit language for Agency consideration. The Agency is not obligated to use the suggested language or any portion thereof in its permitting decision. If requested by the permit applicant, the Agency shall meet with the applicant to discuss the suggested language.

(u) If requested by the permit applicant, the Agency shall provide the permit applicant with a copy of the draft permit prior to any public review period.

(v) If requested by the permit applicant, the Agency shall provide the permit applicant with a copy of the final permit prior to its issuance.

(w) An air pollution permit shall not be required due to emissions of greenhouse gases, as specified by Section 9.15 of this Act.

(x) If, before the expiration of a State operating permit that is issued pursuant to subsection (a) of this Section and contains federally enforceable conditions limiting the potential to emit of the source to a level below the major source threshold for that source so as to exclude the source from the Clean Air Act Permit Program, the Agency receives a complete application for the renewal of that permit, then all of the terms and conditions of the permit shall remain in effect until final administrative action has been taken on the application for the renewal of the permit.

(y) The Agency may issue permits exclusively under this subsection to persons owning or operating a CCR surface impoundment subject to Section 22.59.

(z) If a mass animal mortality event is declared by the Department of Agriculture in accordance with the Animal Mortality Act:

(1) the owner or operator responsible for the disposal of dead animals is exempted from the following:

(i) obtaining a permit for the construction, installation, or operation of any type of facility or equipment issued in accordance with subsection (a) of this Section;

(ii) obtaining a permit for open burning in accordance with the rules adopted by the Board; and

(iii) registering the disposal of dead animals as an eligible small source with the Agency in accordance with Section 9.14 of this Act;

(2) as applicable, the owner or operator responsible for the disposal of dead animals is required to obtain the following permits:

(i) an NPDES permit in accordance with subsection (b) of this Section;

(ii) a PSD permit or an NA NSR permit in accordance with Section 9.1 of this Act;

(iii) a lifetime State operating permit or a federally enforceable State operating permit, in accordance with subsection (a) of this Section; or

(iv) a CAAPP permit, in accordance with Section 39.5 of this Act.

All CCR surface impoundment permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act, Board regulations, the Illinois Groundwater Protection Act and regulations pursuant thereto, and the Resource Conservation and Recovery Act and regulations pursuant thereto, and may include schedules for achieving compliance therewith as soon as possible.

The Board shall adopt filing requirements and procedures that are necessary and appropriate for the issuance of CCR surface impoundment permits and that are consistent with this Act or regulations adopted by the Board, and with the RCRA, as amended, and regulations pursuant thereto.

The applicant shall make available to the public for inspection all documents submitted by the applicant to the Agency in furtherance of an application, with the exception of trade secrets, on its public internet website as well as at the office of the county board or governing body of the municipality where CCR from the CCR surface impoundment will be permanently disposed. Such documents may be copied upon payment of the actual cost of reproduction during regular business hours of the local office.

The Agency shall issue a written statement concurrent with its grant or denial of the permit explaining the basis for its decision.

(Source: P.A. 104-458, eff. 6-1-26.)

(415 ILCS 5/39.16 new)

Sec. 39.16. Requirement to sample sludges and biosolids for perfluoroalkyl and polyfluoroalkyl substances.

(a) The purpose of this Section is to provide for the sampling for perfluoroalkyl and polyfluoroalkyl substances of any sludge or biosolid that is land applied pursuant to a permit issued by the Agency.

(b) The Agency shall not issue any permit required under subsection (b) of Section 12 for the land application of a sludge or biosolid unless the application includes sample results for the sludge or biosolid for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods.

(c) Any permit required under subsection (b) of Section 12 issued by the Agency for the land application of a sludge or biosolid shall require, at a minimum, periodic sampling of the sludge or biosolid for all perfluoroalkyl and polyfluoroalkyl substances for which there are accredited wastewater analytical methods.

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."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 6 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 3917** 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:

Aquino	Fine	Koehler	Stadelman
Arellano, L.	Fowler	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Collins	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	Simmons	
Feigenholtz	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.

On motion of Senator Morrison, **Senate Bill No. 4006** 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:

Aquino	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Syverson
Belt	Glowiak Hilton	Lightford	Tracy
Bryant	Guzmán	Loughran Cappel	Turner, D.
Castro	Halpin	Martwick	Turner, S.
Cervantes	Harris, N.	McClure	Ventura
Chesney	Harriss, E.	Morrison	Villa
Collins	Hastings	Murphy	Villanueva
Curran	Hills	Plummer	Villivalam
DeWitte	Holmes	Preston	Walker
Edly-Allen	Hunter	Rezin	Wilcox
Ellman	Johnson	Rose	Mr. President
Faraci	Jones, E.	Simmons	
Feigenholtz	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.

On motion of Senator Harmon, **Senate Bill No. 3107** 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 51; NAYS 3.

The following voted in the affirmative:

Aquino	Feigenholtz	Jones, E.	Simmons
Arellano, L.	Fine	Joyce	Sims
Balkema	Fowler	Koehler	Stadelman
Belt	Glowiak Hilton	Lewis	Turner, D.
Castro	Guzmán	Lightford	Turner, S.
Cervantes	Halpin	Loughran Cappel	Ventura
Chesney	Harris, N.	Martwick	Villa
Collins	Harriss, E.	McClure	Villanueva
Curran	Hastings	Morrison	Villivalam
DeWitte	Hills	Murphy	Walker
Edly-Allen	Holmes	Preston	Wilcox
Ellman	Hunter	Rezin	Mr. President
Faraci	Johnson	Rose	

The following voted in the negative:

Bryant
Plummer
Tracy

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 Martwick, **Senate Bill No. 2951** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	

Edly-Allen	Johnson	Simmons
Ellman	Jones, E.	Sims
Faraci	Joyce	Stadelman

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

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

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator D. Turner moved that **Senate Resolution No. 713**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator D. Turner moved that Senate Resolution No. 713 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Syverson moved that **Senate Joint Resolution No. 28**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Syverson moved that Senate Joint Resolution No. 28 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

The motion prevailed.

And the resolution was adopted.

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

Senator Rezin moved that **Senate Joint Resolution No. 35**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Rezin moved that Senate Joint Resolution No. 35 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

The motion prevailed.

And the resolution was adopted.

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

Senator Rose moved that **Senate Joint Resolution No. 42**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Rose moved that Senate Joint Resolution No. 42 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

The motion prevailed.

And the resolution was adopted.

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

Senator Bryant moved that **Senate Joint Resolution No. 46**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Bryant moved that Senate Joint Resolution No. 46 be adopted.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Koehler	Syverson
Aquino	Fine	Lewis	Tracy
Arellano, L.	Fowler	Lightford	Turner, D.
Balkema	Glowiak Hilton	Loughran Cappel	Turner, S.
Belt	Guzmán	Martwick	Ventura
Bryant	Halpin	McClure	Villa
Castro	Harris, N.	Morrison	Villanueva
Cervantes	Harriss, E.	Murphy	Villivalam
Chesney	Hastings	Plummer	Walker
Collins	Hills	Preston	Wilcox
Curran	Holmes	Rezin	Mr. President
DeWitte	Hunter	Rose	
Edly-Allen	Johnson	Simmons	
Ellman	Jones, E.	Sims	
Faraci	Joyce	Stadelman	

The motion prevailed.

And the resolution was adopted.

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

Senator Plummer moved that **Senate Joint Resolution No. 53**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Plummer moved that Senate Joint Resolution No. 53 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Jones, E.	Simmons
Aquino	Feigenholtz	Joyce	Sims
Arellano, L.	Fine	Koehler	Stadelman
Balkema	Fowler	Lewis	Tracy
Belt	Glowiak Hilton	Lightford	Turner, D.
Bryant	Guzmán	Loughran Cappel	Turner, S.
Castro	Halpin	Martwick	Ventura
Cervantes	Harris, N.	McClure	Villa
Chesney	Harriss, E.	Morrison	Villanueva
Collins	Hastings	Murphy	Villivalam
Curran	Hills	Plummer	Walker
DeWitte	Holmes	Preston	Wilcox

Edly-Allen	Hunter	Rezin	Mr. President
Ellman	Johnson	Rose	

The motion prevailed.

And the resolution was adopted.

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

Senator Tracy moved that **Senate Joint Resolution No. 29**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Tracy moved that Senate Joint Resolution No. 29 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

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

Senator Belt moved that **House Joint Resolution No. 1**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Belt moved that House Joint Resolution No. 1 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa

Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Halpin moved that **House Joint Resolution No. 17**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Halpin moved that House Joint Resolution No. 17 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator McClure moved that **Senate Joint Resolution No. 61**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator McClure moved that Senate Joint Resolution No. 61 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.

Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

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

Senator McClure moved that **Senate Joint Resolution No. 62**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator McClure moved that Senate Joint Resolution No. 62 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

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

Senator E. Harriss moved that **House Joint Resolution No. 6**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator E. Harriss moved that House Joint Resolution No. 6 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman

Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

Senator Rose moved that **House Joint Resolution No. 30**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Rose moved that House Joint Resolution No. 30 be adopted.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

Anderson	Faraci	Joyce	Sims
Aquino	Feigenholtz	Koehler	Stadelman
Arellano, L.	Fine	Lewis	Syverson
Balkema	Glowiak Hilton	Lightford	Tracy
Belt	Guzmán	Loughran Cappel	Turner, D.
Bryant	Halpin	Martwick	Turner, S.
Castro	Harris, N.	McClure	Ventura
Cervantes	Harriss, E.	Morrison	Villa
Chesney	Hastings	Murphy	Villanueva
Collins	Hills	Plummer	Villivalam
Curran	Holmes	Preston	Walker
DeWitte	Hunter	Rezin	Wilcox
Edly-Allen	Johnson	Rose	Mr. President
Ellman	Jones, E.	Simmons	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 2270, sponsored by Senator Curran, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4239, sponsored by Senator Villivalam, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4304, sponsored by Senator Halpin, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4418, sponsored by Senator Morrison, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4442, sponsored by Senator Stadelman, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4536, sponsored by Senator Feigenholtz, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5071, sponsored by Senator Villanueva, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5135, sponsored by Senator Guzmán, was taken up, read by title a first time and referred to the Committee on Assignments.

PRESENTATION OF CONGRATULATORY RESOLUTION

SENATE RESOLUTION NO. 728

Offered by Senator Preston:

Congratulates Aqsa School on the occasion of its 40th anniversary. Commends the institution for its decades of leadership, innovation, and service to the people of Illinois.

Under the Rules, the foregoing resolution was referred to the Committee on Assignments.

CONGRATULATORY RESOLUTION CONSENT CALENDAR

SENATE RESOLUTION NO. 661

Offered by Senator Collins:

Congratulates Treatment Alternatives for Stronger Communities (TASC) on its 50th anniversary. Extends best wishes to TASC for continued success in advancing effective, accountable, and compassionate alternatives to incarceration.

SENATE RESOLUTION NO. 671

Offered by Senator Ellman:

Congratulates Dr. Lawrence Van Oyen, professor of music at North Central College, on the occasion of his retirement for his decades of distinguished service to music education, his extraordinary dedication to enriching the lives of children with autism and their families through the Chords for Kids program, and the profound and lasting impact he has had on his students and colleagues throughout his remarkable career.

SENATE RESOLUTION NO. 677

Offered by Senator Rose:

Congratulates Daniel and Constance Herriott on being named among the Top 10 national contenders in the American Farm Bureau Federation Young Farmers and Ranchers Achievement Award program. Commends them on this achievement and for all of their hard work.

SENATE RESOLUTION NO. 685

Offered by Senator Edly-Allen:

[April 16, 2026]

Congratulates Ruth Perejda Deram Buehrer on celebrating her 100th birthday.

SENATE RESOLUTION NO. 686

Offered by Senator Balkema:

Congratulates Kade Hill on earning third place in the American Farm Bureau Federation Young Farmers and Ranchers Discussion Meet competition at the 2026 American Farm Bureau Federation Annual Convention.

SENATE RESOLUTION NO. 697

Offered by Senator Belt:

Congratulates Southwestern Illinois College Basketball Head Coach Jay Harrington on his career accomplishments.

SENATE RESOLUTION NO. 698

Offered by Senator Ventura:

Recognizes Sue Bustin for her service and dedication as medical caseworker of the Joliet Township Government Office for 23 and a half years.

SENATE RESOLUTION NO. 703

Offered by Senator Chesney:

Congratulates Tessa Janecke on winning a gold medal as a member of the United States Women's Olympic Ice Hockey Team. Commends her for representing Illinois and the nation with distinction. Wishes her continued success, including in her pursuit of achieving a national championship at Penn State University.

SENATE RESOLUTION NO. 715

Offered by Senator Syverson:

Congratulates the Belvidere Lions Club on the occasion of its 80-year anniversary. Wishes the Club all the best in its future endeavors.

SENATE RESOLUTION NO. 716

Offered by Senator Preston:

Congratulates the Young Men's Christian Association (YMCA) on the occasion of the 175th anniversary of the founding of the first chapter of the YMCA that was based in the United States, and commends the YMCA's role in responding to community needs, connecting people, fostering support, and building relationships and a sense of belonging.

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.

The Chair moved the adoption of the Resolutions Consent Calendar.

The motion prevailed, and the resolutions were adopted.

CELEBRATION OF LIFE RESOLUTION CONSENT CALENDAR

SENATE RESOLUTION NO. 694

Offered by Senator Hunter and all Senators:
Mourns the death of Milton Chandler.

SENATE RESOLUTION NO. 695

Offered by Senator D. Turner and all Senators:
Mourns the passing of Ellen Clare Hamaker of Lehigh Acres, Florida.

SENATE RESOLUTION NO. 699

Offered by Senator Hunter and all Senators:
Mourns the passing of Warren Bell Cooper Jr.

SENATE RESOLUTION NO. 702

Offered by Senator Harmon and all Senators:
Mourns the death of Diane Rose Doherty.

SENATE RESOLUTION NO. 704

Offered by Senator Koehler and all Senators:
Mourns the death of Kevin Schoeplein of Bluffton, South Carolina.

SENATE RESOLUTION NO. 705

Offered by Senator D. Turner and all Senators:
Mourns the death of Earl Ferguson.

SENATE RESOLUTION NO. 706

Offered by Senator Murphy and all Senators:
Mourns the death of Rev. Dr. William G. "Bill" Grice III.

SENATE RESOLUTION NO. 707

Offered by Senator McClure and all Senators:
Mourns the death of Phyllis J. Mocabee of Sullivan.

SENATE RESOLUTION NO. 708

Offered by Senator McClure and all Senators:
Mourns the passing of John M. Eckert of Springfield.

SENATE RESOLUTION NO. 709

Offered by Senator McClure and all Senators:
Mourns the passing of Lawrence K. "Larry" Tumulty.

SENATE RESOLUTION NO. 710

Offered by Senator McClure and all Senators:
Mourns the passing of Colonel Gene Walter Blade of Springfield.

SENATE RESOLUTION NO. 711

Offered by Senator Tracy and all Senators:
Mourns the death of Blake Eugene Roderick.

SENATE RESOLUTION NO. 712

Offered by Senator Murphy and all Senators:

Mourns the passing of Suzanne "Sue" Oehrlein.

SENATE RESOLUTION NO. 714

Offered by Senator Rose and all Senators:
Mourns the death of Joseph Chaly Piland, Ed.D.

SENATE RESOLUTION NO. 717

Offered by Senator Preston and all Senators:
Mourns the death of Mark Timothy Morgan.

SENATE RESOLUTION NO. 718

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

SENATE RESOLUTION NO. 719

Offered by Senator McClure and all Senators:
Mourns the death of Marcia Ann (Weber) Rosenthal.

SENATE RESOLUTION NO. 723

Offered by Senator Martwick and all Senators:
Mourns the passing of Theris M. "Terry" Gabinski of Chicago.

SENATE RESOLUTION NO. 725

Offered by Senator Hastings and all Senators:
Mourns the passing of Gerald Joseph "Jerry" Grohn.

SENATE RESOLUTION NO. 727

Offered by Senator Tracy and all Senators:
Mourns the death of Joe Irvin Conover of Quincy.

The Chair moved the adoption of the Resolutions Consent Calendar.
The motion prevailed, and the resolutions were adopted.

PRESENTATION OF RESOLUTION

Senator Halpin offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

SENATE JOINT RESOLUTION NO. 63

RESOLVED, BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, April 16, 2026, it stands adjourned until Tuesday, April 28, 2026, and when it adjourns on that day, it stands adjourned until Wednesday, April 29, 2026, and when it adjourns on that day, it stands adjourned until Thursday, April 30, 2026, and when it stands adjourned on that day, it stands adjourned until Tuesday, May 05, 2026, or until the call of the President; and when the House of Representatives adjourns on Friday, April 17, 2026, it stands adjourned until Tuesday, April 21, 2026, and when it adjourns on that day, it stands adjourned until Wednesday, April 22, 2026, and when it adjourns on that day, it stands adjourned until Thursday, April 23, 2026, and when it adjourns on that day, it stands adjourned until Tuesday, May 05, 2026, or until the call of the Speaker.

The motion prevailed.
And the resolution was adopted.

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

[April 16, 2026]

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 692
Amendment No. 1 to Senate Bill 799

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. 1 to Senate Bill 2847
Amendment No. 1 to Senate Bill 3317

At the hour of 5:31 o'clock p.m., pursuant to **Senate Joint Resolution No. 63**, the Chair announced that the Senate stands adjourned until Tuesday, April 28, 2026, at 12:00 o'clock p.m., or until the call of the President.